

ESTTA Tracking number: **ESTTA294435**

Filing date: **07/09/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91185103
Party	Plaintiff Cherokee Nation, a federally recognized Indian Tribe
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Date	07/09/2009
Attachments	AA-Opposer's Reply.pdf (11 pages)(230425 bytes) Ex 1.pdf (3 pages)(48103 bytes) Ex 2.pdf (6 pages)(79561 bytes) Ex 3.pdf (3 pages)(206457 bytes) Ex 4.pdf (5 pages)(133830 bytes) Ex 5.pdf (4 pages)(100889 bytes) Ex 6.pdf (3 pages)(130414 bytes) Ex 7.pdf (4 pages)(122850 bytes) Ex 8.pdf (3 pages)(42899 bytes) Ex 9.pdf (2 pages)(95260 bytes) Ex 10.pdf (2 pages)(89340 bytes) Ex 11.pdf (4 pages)(107899 bytes) Ex 12.pdf (3 pages)(72704 bytes) Ex 13.pdf (3 pages)(44197 bytes) Ex 14.pdf (26 pages)(3442866 bytes) Ex 15.pdf (26 pages)(3226648 bytes) Ex 16.pdf (5 pages)(60341 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**CHEROKEE NATION, a federally recognized
Indian tribe,**

Opposers,

v.

Opposition No. 91185103

TIFFANY ADAMS,

Applicant.

OPPOSER'S REPLY IN SUPPORT OF OPPOSER'S MOTION FOR SUMMARY JUDGMENT

Opposer, Cherokee Nation, submits this Reply Brief in further support of its Motion for Summary Judgment (Dkt. No. 5) and in opposition to Applicant's improper "Opposition to Opposer's Motion for Summary Judgment" (Dkt. No. 15) (the "Supplemental Response").

ARGUMENTS AND AUTHORITY

I. APPLICANT'S SUPPLEMENTAL RESPONSE IS A PROCEDURAL NULLITY

Applicant filed her Response to Opposer's Motion for Summary Judgment on May 11, 2009 (Dkt. No. 8). In her Response, Applicant asserts that Opposer's Motion lacks merit and requests that it be denied. Applicant further sought relief under Fed. R. Civ. P. 56(f) on the ground that Applicant cannot proffer evidence sufficient to create a genuine issue of material fact precluding summary judgment.¹

Trademark Rule 2.127(e)(1) provides that the only briefs permitted in considering a motion for summary judgment are the motion, a response (or motion under Rule 56(f)), and a reply. See 37 C.F.R. § 2.127(e)(1). Applicant clearly intended her May 11, 2009 Response to constitute a responsive brief within the meaning of Trademark Rule 2.127(e)(1). See E-mail from A. Vradenburgh to B. Rule 5/12/09, attached as Ex. 1 to Opposer's Response to Applicant's Notice of Clarification (Dkt. No. 12). Thereafter,

¹ Trademark Rule 2.127(e)(1) expressly provides that the Board will consider either a response or a motion for relief under Rule 56(f). Applicant cannot both claim that she cannot create an issue of fact without further discovery under Rule 56(f) and that there are issues of material fact, as in her Supplemental Response brief.

Opposer timely filed its Reply. See Reply in Support of Motion for Summary Judgment (Dkt. No. 9). Consequently, and for the reasons stated in Opposer's Response to Applicant's Notice of Clarification (Dkt. No. 12), which Opposer hereby incorporates by reference, Applicant's Supplemental Response is a procedural nullity and should not be considered by the Board.²

II. APPLICANT'S SUPPLEMENTAL RESPONSE FAILS TO RAISE ANY GENUINE ISSUE OF MATERIAL FACT PRECLUDING SUMMARY JUDGMENT IN OPPOSER'S FAVOR UNDER A LIKELIHOOD OF CONFUSION ANALYSIS

A. Applicant Admits That She Cannot Proffer Evidence Demonstrating An Issue Of Fact to Preclude Summary Judgment for Opposer

On May 11, 2009, Applicant filed an untimely and deficient request for relief under Fed. R. Civ. P. 56(f). See Response at 5 (Dkt. No. 8). Therein, Applicant states that she is unable to offer evidence sufficient to oppose Opposer's Motion. Id. Applicant is estopped to argue in her Supplemental Response that evidence sufficient to avoid summary judgment now exists. See Transclean Corp. v. Jiffy Lube International, Inc., 474 F.3d 1298, 1306-07 (Fed. Cir.), cert. denied, 128 S. Ct. 186 (2007).

B. The Undisputed Material Facts Establish That Applicant's Proposed Mark is Likely to Cause Confusion With Opposer's Marks

1. Opposer Has Priority In The CHEROKEE Mark

Opposer offered undisputed evidence that it has used the mark **CHEROKEE NATION**, and more generally, **CHEROKEE**, for over 200 years in advertising, promoting, and providing governmental, social, financial, educational, and other services. See Motion for Summary Judgment at 2, ¶¶ 2-3 (Dkt. No. 5). Nonetheless, Applicant suggests that she, not Opposer, has priority of use on the basis of her assertion that she first used her proposed mark in August of 2002. Applicant's suggestion that she has priority of use of the mark **CHEROKEE** vis-à-vis Opposer is absurd.

Applicant's claim of priority is premised upon the incorrect assertion that the use of a tribal name

² Even if Applicant were permitted to file her Supplemental Response, that brief fails to comply with the Trademark Rules. Trademark Rule 2.127(a) limits response briefs to 25 pages, "including table of contents, index of cases, description of the record, statement of the issues, recitation of the facts, argument, and summary." Applicant's Supplemental Response consists of an 8 page brief and a 23 page response to the statement of facts included in Opposer's Motion for Summary Judgment. Thus, Applicant's Supplemental Response exceeds the Board's page limit by 6 pages and should be stricken.

to identify a group of persons does not constitute trademark use. However, Section 4 of the Trademark Act of 1946, 15 U.S.C. § 1054, expressly permits the registration of collective membership marks. Collective membership marks may include the use of a tribal name to identify a group of persons. See, e.g., U.S. Registration No. 2326707 for the mark **COWLITZ INDIAN TRIBE**, Ex. 1. Opposer's evidence that it has continuously used the marks **CHEROKEE** and **CHEROKEE NATION** clearly constitutes "trademark use" sufficient to establish Opposer's priority in those marks.³

The evidence establishes conclusively that Applicant's claimed first use of her proposed mark occurred some 211 years after Opposer's first use of its marks. Applicant's unsupported assumption that Opposer did not use its marks in conjunction with entertainment services prior to 2002 is of no consequence. Under a likelihood of confusion analysis, "[t]he goods or services do not have to be identical or even competitive in order to determine that there is a likelihood of confusion." See Trademark Manual of Examining Procedure § 1207.01(a)(i) (5th ed. Sept. 2007). Thus, Applicant has failed to demonstrate the existence of any genuine issue of fact concerning priority of use.

2. The Strength of Opposer's Marks

Applicant next insinuates that Opposer's mark, **CHEROKEE**, is weak and that Opposer's use of the mark is descriptive, if not generic. Applicant's argument is, at best, misleading.

In support of her contention that Opposer's marks are descriptive, Applicant cites the Examining Attorney's request that the applicant provide Section 2(f) proof in conjunction with Serial No. 78/758494 for the mark, **THE SOUTHERN CHEROKEE NATION**. However, Applicant ignores that Serial No. 78/758494 was thereafter published for opposition on October 10, 2006. Applicant further omits to mention that Opposer successfully challenged registration of **THE SOUTHERN CHEROKEE NATION** mark in an inter partes proceeding. See Order dated March 8, 2007, Opposition No. 91175582.

³ Applicant has previously stated in response to Opposer's requests for admission she can neither admit or deny that Opposer has priority of use. See Applicant's Responses to Opposer's Requests for Admission Nos. 6, 8, Ex. 7 to Opposer's Reply in Support of Motion for Summary Judgment (Dkt. No. 9). Thus, Applicant is barred from offering evidence that her use of the mark precedes Opposer's use of its marks. See T.B.M.P. § 527.01(e).

Thus, the PTO's failure to register the mark, **THE SOUTHERN CHEROKEE NATION**, was not based upon lack of Section 2(f) distinctiveness as Applicant suggests.

Applicant also disingenuously points to multiple third-party registrations and applications for marks containing the word **CHEROKEE** to suggest that Opposer's marks exist in a crowded field. However, Applicant's reliance on third-party registrations is misplaced. The Federal Circuit's predecessor was clear in In re DuPont, 476 F.2d 1357, 177 U.S.P.Q. 563 (C.C.P.A. 1973), that third-party marks are only relevant to the distinctiveness of a disputed mark if they are used for goods similar to goods offered under the disputed mark. Id. at 1357, 567 (the Board may consider "the number and nature of similar marks in use on similar goods.") (emphasis added). Not coincidentally, Applicant has failed to identify a single third-party registration or pending application that relates to the services offered by Opposer under its **CHEROKEE** and **CHEROKEE NATION** marks.

Finally, Applicant's distinctiveness arguments ignore that Opposer's marks are famous. Indeed, the United States Patent and Trademark Office has repeatedly found that Opposer's marks are famous and has refused to register trademarks similar to Opposer's famous marks on the grounds that the proposed marks would create a likelihood of confusion with Opposer's marks. See Motion for Summary Judgment at 5, ¶ 10 (Dkt. No. 5). The fame of Opposer's mark is "a dominant factor in the likelihood of confusion analysis for a famous mark, independent of the consideration of the relatedness of the goods." Recot, Inc. v. Becton, 214 F.3d 1322, 1328, 54 U.S.P.Q.2d 1894, 1898 (Fed. Cir. 2000). The fame of Opposer's mark entitles it to broad protection. See Specialty Brands, Inc. v. Coffee Bean Distribs., Inc., 748 F.2d 669, 675, 223 U.S.P.Q. 1281 (Fed. Cir. 1984).

3. Actual Confusion, or Lack Thereof, is not Dispositive

Applicant further attempts to avoid summary judgment by claiming that she has never been confused with or presumed to be affiliated with Opposer.⁴ Applicant apparently misunderstands the test

⁴ Applicant's Declaration in this regard lacks foundation and is not based upon personal knowledge. Indeed, Applicant could not possibly have personal knowledge of whether consumers perceive her as being affiliated with Opposer. Because Applicant's self-serving and conclusory Declaration lacks

for likelihood of confusion. Opposer “is not required to prove actual confusion in order to prevail in an inter partes proceeding.” HRL Assocs., Inc. v. Weiss Assocs., Inc., 12 U.S.P.Q.2d 1819, 1824 (T.T.A.B. 1989); see also Visible Systems Corp. v. Unisys Corp., 551 F.3d 65, 72 (1st Cir. 2008) (“A trademark holder must show a *likelihood* of confusion; it need not show actual confusion....”). Therefore, that Applicant lacks knowledge of any person believing her to be a member of Opposer is of no consequence.

4. Opposer’s Marks Are Used and Known Nationwide

Applicant next challenges Opposer’s use of its **CHEROKEE** and **CHEROKEE NATION** marks on the ground that protection for those marks is confined to channels of trade in Oklahoma. Applicant’s contention that Opposer’s marks are not used or known outside of Oklahoma lacks merit.

At the outset, Federal Circuit law precludes Applicant from challenging the identity of the parties’ trade channels because Applicant’s application contains no restriction on the channels of trade within which her services are offered. See Shen Mfg. Co. v. Ritz Hotel, Ltd., 393 F.3d 1238, 1241 n.3, 73 U.S.P.Q.2d 1350, 1353 n.3 (Fed. Cir. 2004) (assuming trade channels identical where neither asserted registrations nor opposed applications contained restrictions); Octocom Sys., Inc. v. Houston Computer Servs., Inc., 918 F.2d 937, 943, 16 U.S.P.Q.2d 1783, 1788 (Fed. Cir. 1990) (“[A]n application with an identification of goods having no restriction on trade channels obviously is not narrowed by testimony that the applicant’s use is, in fact, restricted to a particular class of purchasers.”). Accordingly, as a matter of law, the parties’ channels of trade are identical.

Moreover, Applicant’s unsupported suggestion that Opposer’s marks are neither used or known outside of Oklahoma is incredible. As set forth above, and in Opposer’s Motion, the PTO has repeatedly found that Opposer’s marks are sufficiently well known throughout the United States so as to preclude registration of numerous confusingly similar marks. See Motion for Summary Judgment at 5, ¶ 10 (Dkt. No. 5). Ample evidence exists to establish that Opposer’s marks are used and known throughout the

foundation and is not based upon personal knowledge it should be stricken and not considered in conjunction with Opposer’s Motion for Summary Judgment. See Fed. R. Civ. P. 56 (requiring affidavits to be based upon personal knowledge).

United States, and the world. Indeed, Applicant offers no evidence to dispute that Opposer is the second largest Indian tribe in the United States or that some 130,000 of Opposer's members reside outside Opposer's jurisdictional boundaries. Since as early as 1785, Opposer has entered into treaties with the United States including provisions for nationwide trade of Opposer's goods regulated by Congress. See Treaty of Holston, Art. VI, Ex. 4 to Motion for Summary Judgment (Dkt. No. 5); Cherokee.org, [Treaty of Hopewell, 1785, Art. IX](#), at <http://www.cherokee.org/Culture/132/Page/default.aspx>, Ex. 2.

Opposer also maintains an office in Washington, D.C. to act as a liaison with the United States Congress, U.S. Agencies and Administrative Offices, National Organizations, and other Tribal Governments. See Washington Office, [About](#), at <http://www.cnwo.org/About/tabid/2414/Default.aspx>, Ex. 3. Further, Opposer sponsors and supports the Cherokee Community of Central California, an organization of Opposer's members and other individuals interested in Cherokee culture based in California, the same state where Applicant resides. See Cherokee.org, [Cherokee Community of Central California](#), available at <http://centralca.cherokee.org/>, Ex. 4. Opposer also supports the SunDance Film Festival in Park City, Utah and provides programs and resources for Native-American film-makers to participate in the motion picture industry, an industry in which Applicant is likewise involved. Id.

Opposer offers loans, grants, scholarships, and other commercial goods and services to its members through a variety of programs available to Opposer's members residing anywhere in the United States. See, e.g., Cherokee.org, [Cherokee Nation PELL Scholarship](#), available at <http://www.cherokee.org/Services/297/Page/Default.aspx>, Ex. 5. Opposer advertises, promotes, and sells its goods and services via the Internet to persons nationwide and around the globe. See Cherokee Nation Gift Shop, available at <http://www.cherokeegiftshop.com/>, Ex. 6. Opposer ships its goods to consumers throughout the world. See Cherokee Nation Gift Shop, [Shipping & Returns](#), available at <http://www.cherokeegiftshop.com/shipping.php>, Ex. 7. Opposer also advertises, promotes and sells its entertainment services to tourists globally. See Cherokee.org, [Tourism](#), <http://tourism.cherokee.org/>, Ex. 8. Through its tourism services, Opposer actively solicits business outside its tribal jurisdiction. See, e.g., Cherokee.org, [Businesses](#), <http://www.cherokeemnationbusinesses.com/>, Ex. 9; Cherokee Casino,

<http://www.cherokeecasino.com/>, Ex. 10.

Finally, Opposer is so universally known, the dictionary definition of the word, “Cherokee” specifically references Opposer. See Motion for Summary Judgment at 4, ¶ 6 (Dkt. No. 5). A cursory review of the website, Amazon.com, for books containing the word “Cherokee” yields some 44,213 results. See Amazon.com, Search for “Cherokee”, available at http://www.amazon.com/s/ref=nb_ss_gw?url=search-alias%3Dstripbooks&field-keywords=cherokee&x=2&y=14, Ex. 11. Similarly, a search for the word “Cherokee” on the Internet search engine, Google, yields some 29.5 million hits. See Google.com, Search for “Cherokee”, available at http://www.google.com/search?source=ig&hl=en&rlz=1G1GGLQ_ENUS240&=&q=cherokee&btnG=Google+Search&aq=f&oq=, Ex. 12. Of the first ten hits, seven expressly refer to Opposer. Id. Simply put, Opposer’s marks **CHEROKEE** and **CHEROKEE NATION** are widely used and recognized as referring to Opposer and/or its members.

5. The Similarity of the Marks

Applicant also argues that Opposer’s **CHEROKEE** and **CHEROKEE NATION** marks are not similar to Applicant’s proposed mark and that consumers would only recognize the mark **CHEROKEE NATION** as referring to Opposer and/or its members. Applicant’s position is nonsensical. Opposer has offered undisputed evidence that for over 200 years, Opposer has used the mark, **CHEROKEE**, to refer to Opposer and its members. See Motion for Summary Judgment at 3, ¶¶ 2-3 (Dkt. No. 5). Because the dominant portion of Opposer’s marks and Applicant’s proposed mark are identical, Applicant’s argument that the marks are somehow dissimilar is without merit. See T.M.E.P. § 1207(b)(iii) (citing cases).

III. APPLICANT’S SUPPLEMENTAL RESPONSE FAILS TO RAISE ANY GENUINE ISSUE OF MATERIAL FACT PRECLUDING SUMMARY JUDGMENT IN OPPOSER’S FAVOR UNDER A DISPARAGEMENT ANALYSIS

There can be no doubt that the use of the term, **CHEROKEE**, in conjunction with Applicant’s adult entertainment services is disparaging to Opposer and its members. Applicant’s proposed mark directly associates Opposer and/or its citizens with explicit, sexually-oriented adult entertainment services. This is particularly true where, as here, Applicant’s proposed mark uses Opposer’s name and identity and thereby makes a statement about Opposer itself.

Applicant first attempts to trivialize Opposer's disparagement claim by noting that Opposer did not challenge applications to register marks using the word **CHEROKEE** in conjunction with cigarettes and wine. Applicant clearly misses the point. That Opposer did not challenge applications to register the mark, **CHEROKEE**, in conjunction with cigarettes and wine has no tendency to make Applicant's use of the mark in conjunction with pornography any more or less disparaging to Opposer and/or its members.

Applicant next suggests that Opposer condones associations of its name with topless stage performances on the basis of Opposer's claimed relationship with Harrah's Casino. However, Applicant offers no evidence that Opposer is in any way affiliated with Harrah's Casino or any other entity offering nude stage performances. Indeed, the "Harrah's Cherokee Casino" Applicant references in her Supplemental Response is owned by the Eastern Band of Cherokee Indians, a separate and distinct federally recognized Indian tribe. See Harrahs.com, News Release, available at http://investor.harrahs.com/phoenix.zhtml?c=84772&p=irol-newsArticle_print&ID=526317&highlight=, Ex. 13. Moreover, Applicant has offered no evidence that Harrah's Cherokee Casino features topless or nude performances. Instead, Applicant cites only unauthenticated website pages concerning performances offered at Harrah's Casino in Las Vegas. Applicant's attempt to associate Harrah's Las Vegas and its entertainment offerings with Opposer is patently dishonest and intentionally misleading.

The evidence before the Board establishes that Applicant uses her proposed mark in conjunction with hardcore pornography. See Motion for Summary Judgment at 6, 8, ¶¶ 11-23 (Dkt. No. 5). Applicant's cursory assertions to the contrary notwithstanding, there is no question that Applicant's use of **CHEROKEE** is intended to, and does, bring to mind Opposer and its members. In the specimen submitted with the application, the proposed mark, "**CHEROKEE**," is prominently displayed four (4) times in an advertisement for live "XXX" rated adult entertainment. See id. at 6, ¶ 14. The specimen uses the wording, "**NATIVE NATURAL NASTY**," implying that the entertainer is Native American and, more specifically, of Cherokee descent. Id. at 6, ¶ 15. The specimen features a female model with long, dark, straight hair and a dark complexion often used in stereotypical portrayals of a "Cherokee Indian Princess." Id. at 7, ¶ 16. The specimen also features seven three-dimensional stars similar to the three-

dimensional star used in Opposer's National Seal since 1871. Id. at 7, ¶ 17. Applicant's website declares that "People call me the **Pocahontas of Porn.**" Id. at 7, ¶ 18. Another website through which Applicant's services are promoted contains a thumbnail gallery entitled, "**Cherokee Naughty Indian Princess.**" Id. at 7, ¶ 19 (emphasis added). Finally, Applicant's on-line biographies describe her ethnicity as "Native American." Id. at 7, ¶ 20. In light of the foregoing, it is hard to believe that anyone who has seen Applicant and/or her promotional materials, which prominently display Opposer's tribal name, could thereafter disassociate Applicant from Opposer and its members. Cf. Dallas Cowboy Cheerleaders, Inc. v. Pussycat Cinema, Ltd., 604 F.2d 200, 205, 203 U.S.P.Q. 161 (2d Cir. 1979) (affirming preliminary injunction against producers of pornographic film, "Debbie Does Dallas").

Nevertheless, Applicant submits her own self-serving and conclusory Declaration asserting unequivocally that she does not "adopt any other characteristics that could be construed as emanating from descendents of Native Americans." Applicant's assertion directly contradicts statements she has previously made while promoting her services. Specifically, Applicant wrote on January 23, 2009, while discussing her work for the Brazzers website, "bigtitsatschool.com," "I even broke out **my signature 'indian style' position** for this one :)" See <http://cherokeexxx.com/blog/index.php> at p.6 of 25, Ex. 14 (accessed on Mar. 13, 2009) (emphasis added).⁵ Applicant cannot avoid summary judgment by creating a genuine issue as to her own credibility. See Camfield Tires, Inc. v. Michelin Tire Corp., 719 F.2d 1361, 1365 (8th Cir. 1983).⁶

⁵ It should be noted that Applicant removed the reference to her "signature Indian style position" from her website during the pendency of this proceeding, thereby tacitly admitting the reference would be recognized by the public as referring to Opposer. Compare <http://cherokeexxx.com/blog/index.php> at p.6 of 25, Ex. 14 (accessed on Mar. 13, 2009) with <http://cherokeexxx.com/blog/index.php> at p.13 of 25, Ex. 15 (accessed on June 22, 2009).

⁶ Applicant asserts that Opposer's claims that Applicant's proposed mark would create a likelihood of confusion with Opposer's marks and disparage Opposer and/or its members are mutually inconsistent. However, Applicant ignores the fact that likelihood of confusion and disparagement are simply separate grounds for opposition to Applicant's mark. Indeed, the Board has recognized that the two grounds for opposition are entirely consistent. See, e.g., Greyhound Corp. v. Both Worlds, Inc., 6 U.S.P.Q.2d 1635, 1640 (T.T.A.B. 1988) (finding that the proposed mark was unregistrable because it was likely to be confused with the opposer's mark and further disparaged opposer). Indeed, the fact that Applicant's

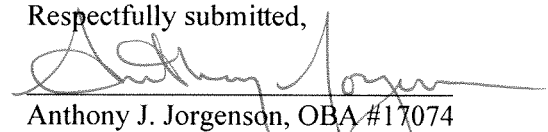
IV. APPLICANT'S CLAIMS OF BAD FAITH ARE WITHOUT MERIT

Applicant repeatedly urges that Opposer's "bad faith" should preclude summary judgment in Opposer's favor. The basis for Applicant's contention appears to be that she allegedly timely answered Opposer's discovery requests. However, Applicant ignores that, despite being given an additional 30 days to respond, her discovery responses contain only boilerplate objections. See Opposer's Reply in Support of Motion for Summary Judgment at 4 (Dkt. No. 9). Such boilerplate responses are no answer at all. See *Josephs v. Harris Corp.*, 677 F.2d 985, 992 (3rd Cir.1982); *Cippollone v. Liggett Group, Inc.*, 785 F.2d 1108, 1121 (3rd Cir.1986). Thus, Opposer's assertion that Applicant failed to timely respond to discovery is accurate and not indicative of any perceived bad faith.

CONCLUSION

Applicant has failed to raise any genuine issue of material fact that would preclude summary judgment in Opposer's favor that Applicant's proposed mark would create a likelihood of confusion with Opposer's marks, falsely associates Applicant's goods and services with Opposer, and disparages Opposer and/or its members through an offensive appropriation of Opposer's name to market pornographic services that fetishize and dehumanize Opposer and its members. The Board should thus grant summary judgment to Opposer and deny the registration of Applicant's proposed mark.

Respectfully submitted,

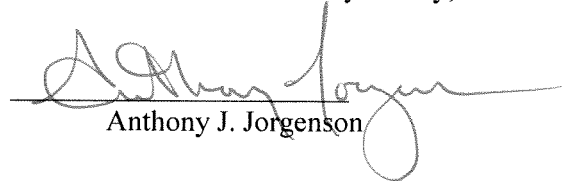


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proposed mark is likely to be confused with Opposer's marks increases the potential harm of the disparagement to Opposer and its members engendered by Applicant's misappropriation of Opposer's name to peddle pornographic material.

CERTIFICATE OF FILING

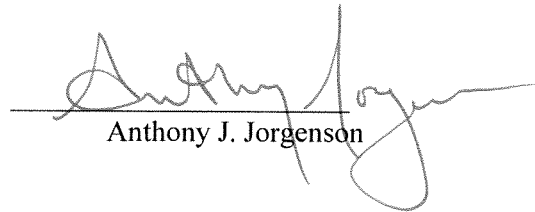
I, Anthony J. Jorgenson, hereby certify that a copy of the foregoing Opposer's Reply In Support of Applicant's Motion for Summary Judgment is being filed with the Electronic System for Trademark Trial and Appeals ("ETTSa") of the U.S. Patent and Trademark Office on this 9th day of July, 2009.


Anthony J. Jorgenson

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on this 9th day of July, 2009, a true and correct copy of the above and foregoing Opposer's Reply In Support of Applicant's Motion for Summary Judgment was served upon Applicant by first class mail, proper postage prepaid, at the following address:

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Anthony J. Jorgenson

1002117.2:231629:02060

Exhibit 1



United States Patent and Trademark Office

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Typed Drawing

Word Mark	COWLITZ INDIAN TRIBE
Goods and Services	IC 200. US 200. G & S: indicate membership in an Indian Tribe . FIRST USE: 19490000. FIRST USE IN COMMERCE: 19490000
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75703827
Filing Date	May 12, 1999
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 14, 1999
Registration Number	2326707
Registration Date	March 7, 2000
Owner	(REGISTRANT) Cowlitz Indian Tribe , the FEDERALLY-RECOGNIZED INDIAN TRIBE WASHINGTON PO BOX 2547 Longview WASHINGTON 98632
Attorney of Record	Robert A. Jensen
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "INDIAN TRIBE" APART FROM THE MARK AS SHOWN
Type of Mark	COLLECTIVE MEMBERSHIP MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Exhibit 2

Treaty of Hopewell, 1785

November 28, 1785

7 Stat. 18

Articles concluded at Hopewell, on the Keowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan M'Intosh, Commissioners Plenipotentiary of the United States of America, of the one Part, and the Head-Men and Warriors of all the Cherokees of the other.

The Commissioners Plenipotentiary of the United States, in Congress assembled, give peace to all the Cherokees, and receive them into the favor and protection of the United States of America, on the following conditions:

ARTICLE I.

The Head-Men and Warriors of all the Cherokees shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty: They shall also restore all the Negroes, and all other property taken during the late war from the citizens, to such person, and at such time and place, as the Commissioners shall appoint. /A/

ARTICLE II.

The Commissioners of the United States in Congress assembled, shall restore all the prisoners taken from the Indians, during the late war, to the Head-Men and Warriors of the Cherokees, as early as is practicable. /B/

ARTICLE III.

The said Indians for themselves and their respective tribes and towns do acknowledge all the Cherokees to be under the protection of the United States of America, and of no other sovereign whosoever. /C/

ARTICLE IV.

The boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is, and shall be the following, viz. Beginning at the mouth of Duck river, on the Tennessee; thence running north-east to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge to a north-east line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumberland gap; thence to the mouth of Claud's creek on Holstein; thence to the Chimney-top mountain; thence to Camp-creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North-Carolina line; thence to the South-Carolina Indian boundary, and along the same south-west over the top of the Oconee mountain till it shall strike Tugaloo river; thence a direct line to the top of the Currohee mountain; thence to the head of the south fork of Oconee river. /D/

ARTICLE V.

If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands westward or southward of the said boundary which are hereby allotted to the Indians for their hunting grounds, or having already settled and will not remove from the same within six months after the ratification of this treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please: Provided nevertheless, That this article shall not extend to the people settled between the fork of French Broad and Holstein rivers, whose particular situation shall be transmitted to the United States in Congress assembled for their decision thereon, which the Indians agree to abide by. /E/

ARTICLE VI.

If any Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery, or murder, or other capital crime, on any citizen of the United States, or person /F/ under their protection, the nation, or the tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the ordinances of the United States; Provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime had been committed by a citizen on a citizen.

ARTICLE VII.

If any citizen of the United States, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder or robbery, or other capital crime, had been committed on a citizen of the United States; and the punishment shall be in presence of some of the Cherokees, if any shall attend at the time and place, and that they may have an opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes. /G/

ARTICLE VIII.

It is understood that the punishment of the innocent under the idea of retaliation, is unjust, and shall not be practiced on either side, except where there is a manifest violation of this treaty; and then it shall be preceded first by a demand of justice, and if refused, then by a declaration of hostilities. /H/

ARTICLE IX.

For the benefit and comfort of the Indians, and for the prevention injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper. /I/

ARTICLE X.

Until the pleasure of Congress be known, respecting the ninth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated. /J/

ARTICLE XI.

The said Indians shall give notice to the citizens of the United States, of any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whosoever, against the peace, trade or interest of the United States. /K/

ARTICLE XII.

That the Indians may have full confidence in the justice of the United States, respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to Congress. /L/

ARTICLE XIII.

The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said states on the one part, and all the Cherokees on the other, shall be universal; /M/ and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

In witness of all and every thing herein determined, between the United States of America and all the Cherokees, we, their underwritten Commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

Done at Hopewell, on the Keowee, this twenty-eighth of November, in the year of our Lord one thousand seven hundred and eighty-five.

Benjamin Hawkins, (L.S.)

And'w Pickens, (L.S.)

Jos. Martin, (L.S.)

Lach'n McIntosh, (L.S.)

Koatohee, or Corn Tassel of Toquo, his x mark, (L.S.)

Scholauetta, or Hanging Man of Chota, his x mark, (L.S.)

Tuskegatahu, or Long Fellow of Chistohoe, his x mark, (L.S.)

Ooskwha, or Abraham of Chilkowa, his x mark, (L.S.)

Kolakusta, or Prince of Noth, his x mark, (L.S.)

Newota, or the Gritzs of Chicamaga, his x mark, (L.S.)

Konatota, or the Rising Fawn of Highwassay, his x mark, (L.S.)

Tuckasee, or Young Terrapin of Allajoy, his x mark, (L.S.)

Toostaka, or the Waker of Oostanawa, his x mark, (L.S.)

Untoola, or Gun Rod of Seteco, his x mark, (L.S.)

Unsuokanail, Buffalo White Calf New Cussee, his x mark, (L.S.)

Kostaycak, or Sharp Fellow Wataga, his x mark, (L.S.)

Chonosta, of Cowe, his x mark, (L.S.)

Chescoonwho, Bird in Close of Tomotlug, his x mark, (L.S.)

Tuckasee, or Terrapin of Hightowa, his x mark, (L.S.)

Chesetoe, or the Rabbit of Tlacoa, his x mark, (L.S.)

Chesecotetona, or Yellow Bird of the Pine Log, his x mark, (L.S.)

Sketaloska, Second Man of Tillico, his x mark, (L.S.)

Chokasatahe, Chickasaw Killer Tasonta, his x mark, (L.S.)

Onanoota, of Koosoate, his x mark, (L.S.)

Ookoseta, or Sower Mush of Kooloque, his x mark, (L.S.)

Umatooetha, the Water Hunter Choikamawga, his x mark, (L.S.)

Wyuka, of Lookout Mountain, his x mark, (L.S.)

Tulco, or Tom of Chatuga, his x mark, (L.S.)

Will, of Akoha, his x mark, (L.S.)

Necatee, of Sawta, his x mark, (L.S.)

Amokontakona, Kutcloa, his x mark, (L.S.)

Kowetatahee, in Frog Town, his x mark, (L.S.)

Keukuck, Talcoa, his x mark, (L.S.)

Tulatiska, of Chaway, his x mark, (L.S.)

Wooaluka, the Waylayer, Chota, his x mark, (L.S.)

Tatliusta, or Porpoise of Tilassi, his x mark, (L.S.)

John, of Little Tallico, his x mark, (L.S.)

Skelelak, his x mark, (L.S.)

Akonoluchta, the Cabin, his x mark, (L.S.)

Cheanoka, of Kawetakac, his x mark, (L.S.)

Yellow Bird, his x mark, (L.S.)

Witness:

Wm. Blount,

Sam'l Taylor, Major.,

John Owen,

Jess. Walton,

Jno. Cowan, capt. comm'd't,

Thos. Gregg,

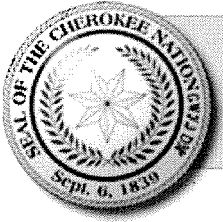
W. Hazzard.

James Madison,

Arthur Cooley,.

Sworn interpreters. A/ Indians to restore all prisoners, etc. B/ United States to restore all prisoners. C/ Cherokees acknowledge protection of United States. D/ Boundaries. E/ No citizen of United States to settle on Indian lands. F/ Indians to deliver up criminals. G/ Citizens of United States committing crimes against Indians to be punished. H/ Retaliation prohibited. I/ United States to regulate trade. J/ Special provision for trade. K/ Indians to give notice of designs against United States. L/ Indians may send deputy to Congress. M/ Peace and friendship perpetual.

Exhibit 3



Cherokee Nation Washington Office



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Principal Chief Chad Smith, Secretary of State Melanie Knight (left) and Speaker Meredith Frailey

Mission Statement

The Cherokee Nation Washington Office (CNWO) opened in 2001 to serve as the Cherokee Nation's Government Relations Office in D.C. Our office acts as the liaison between Cherokee Nation tribal citizens and the United States Congress, U.S. Agencies and Administrative Offices, National Organizations and other Tribal Governments.

Cherokee Nation Washington Office is located on Capitol Hill. CNWO is here to serve the Cherokee people. Our office is open to all visitors. We look forward to hearing from you.

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Wednesday, July 08, 2009

P. O. Box 948 Tahlequah, OK 74465

(918) 453-5000 / [Contact Us](#)

CHEROKEE COMMUNITY

of

CENTRAL CALIFORNIA

HOME

The Cherokee Community of Central California (CCCC) is a community of Cherokees and of other people who are interested in Cherokee culture, heritage, tradition, and fellowship. We are a non-political non-profit Native American organization whose members reside outside the boundaries of the Cherokee Nation and Bands. We have organized on the foundation of our shared heritage and history and because of our love for the Cherokee Nation and its people.

We purpose to educate ourselves and others about Cherokee culture and history, to encourage community, to make connections with other Native Americans and with people who love Native American culture and history, and to facilitate the continuity of our traditions and of our people.

Our community was organized by Julia Coates of the Cherokee Nation and founding members include, Pam Peterson, Charles Twist, Rick Westbrook, Van Landingham, Dixie Flynn, Nietra Thomas and Linda Chambers. While not all these founding members are still active in the Community, most are and have been joined by new members. Together we are moving forward and growing into a larger community.

Mission and Purpose

Working with the Cherokee Nation is as follows:

LOCAL LORE

Kernville History

In 1858, in what would become a Kern Valley legend, a Cherokee man with the poetic name of Lovely Rogers was chasing his mule in the area of what is now Wofford Heights. When he paused to pick up a rock to throw at the animal, but before he could throw it his eye caught sight of the gold flecks in it. Soon there was Rogersville, adjacent to the newfound Big Blue gold mine.

Then an enterprising fellow threw a plank across two barrels and opened a whiskey bar, which prompted the name of the gold mining encampment to be changed to Whiskey Flat. A few years later, in 1864, the name was changed by the people of the growing town to the less wild and woolly name of Kernville. The rush for gold had supplanted the Indian village of Tulonoya, next to the site of the original Kernville.

Keyesville History

In 1852, Richard Keys, a Half-Cherokee '49er discovered lode gold at Keyesville. In its heyday the town of Keyesville consisted of 5 or 6 stores, 3 hotels, 4 saloons, a brewery, two livery stables, a



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wagon-making shop, 2 blacksmith shops, a barber shop, 2 butcher shops, a shoemaker's shop, express and post offices. There were boarding houses and saloons at the individual mines. After the high-grade placer deposits had been exhausted, the Euro-Americans moved on to other areas, however, Chinese miners continued to work the gravels in Keyesville well into the 1860s.

FAMOUS CHEROKEES

There were several famous Cherokees in American history, including Sequoyah, who invented the Cherokee writing system. Sequoyah is one of few people in history to invent a widely used writing system singlehandedly. Sequoyah never learned to speak, read or write the English language. Nancy Ward was a "Beloved Woman" of the Cherokees and a major political figure.

Famous Cherokee politicians include Chad "Cornstassel" Smith, Wilma Mankiller and Ross Swimmer. American blues-rock guitarist Jimi Hendrix was of Cherokee descent via his paternal grandmother, Nora Rose Moore. Oral Roberts, twentieth century evangelist and founder of Oral Roberts University in Tulsa, Oklahoma, is a card-carrying member of the Choctaw Nation of Oklahoma, but many say he is also Cherokee.

The Nation has constructed health clinics throughout Oklahoma, contributed to community development programs, constructed learning facilities and universities for its citizens, instilled the practice of Gadugi and self-reliance in its citizens, revitalized language immersion programs for its children and youth, and is a powerful and positive economic and political force in Eastern Oklahoma.

The Cherokee Nation Warriors Memorial and Pavalion in Tahlequah, Oklahoma.

The Cherokee Nation hosts the Cherokee National Holiday on Labor Day weekend each year and 80,000 to 90,000 Cherokee Citizens travel to Tahlequah, Oklahoma each year for the festivities. The Cherokee Nation also publishes the Cherokee Phoenix, a tribal newspapers which has operated continuously since 1828, and publishes editions in both English and the Sequoyah Syllabary. The Cherokee Nation hosts and sponsors historic foundations concerned with the preservation of Cherokee Culture, including the Cherokee Heritage Center which hosts a reproduction of an ancient Cherokee Village which is open to the public. The Cherokee Heritage Center has numerous museum exhibits which is also open to the public. The Cherokee Nation also supports the Sundance and Cherokee Film Festivals in Tahlequah, Oklahoma and Park City, Utah, and provides programs and resources for Native American film makers to participate in the motion picture industry. Many famous Native American actors are members of the Cherokee Nation, such as Wes Studi.

MODERN CHEROKEE NATION



Cherokee Nation Historic Courthouse in Tahlequah, Oklahoma.

The modern Cherokee Nation in recent times has excelled and has experienced an unprecedented expansion in economic growth, equality, and prosperity for its citizens under the leadership of Principal Chief Chad Smith, with significant business, corporate, real estate, and agricultural interests, including numerous highly profitable casino operations. The Cherokee Nation controls Cherokee Nation Enterprises, a very large Defense contractor that creates thousands of jobs in Eastern Oklahoma for Cherokee Citizens.

Cherokee Nation
Historic Courthouse



The Cherokee Nation Warriors Memorial and Pavilion in Tahlequah, Oklahoma.

THE SEVEN CHEROKEE CLANS

Ah-ni-ga-to-ge-wi or Wild Potato Clan - Were known to be farmers and gatherers of the wild potato plants in swamps (hence the name gatogewi = "swamp"), along streams, and swamps to make flour or bread for food, and were so named after them. They are keepers and protectors of the earth. The Wild Potato Clan have also been known as the Bear Clan, Raccoon Clan and even "Blind Savannah" in different regions. The Clan color for the AniGatogewi is Green and their wood is Birch.

Ah-ni-gi-lo(la)-hi or Long Hair Clan - This Clan, also known as Twister Clan, Hanging Down Clan or Wind Clan. Gilahi is short for an old in fact very old ancient Gitlvgnahita, the warrior women's society, meaning something that grows from the back of the neck". Those belonging to this Clan wore their hair in elaborate hairdos, walked in a proud and vain manner twisting their shoulders. They are teachers and keepers of tradition. Peace chiefs usually came from this clan at one time in Cherokee history and wore a white feather robe. The Clan color for the AniGilohi is Yellow and their wood is Beech.

Ah-ni-(k)a-wi or Deer Clan - Those belonging to this Clan were the keepers of the deer, deer hunters and trackers, tanners and seamers, as well as keepers of the deer medicines. They were known to be fast runners and foot messengers. The Clan Color for the Ani Kawi is Brown and their wood is Oak.

Ah-ni-tsi-sk-wa or Red Tailed Hawk Clan - Those belonging to this Clan (also called the bird clan) were the keepers of the birds, sacred feathers and bird medicines. They were messengers and were very skilled in using blowguns and snares for bird hunting. Their color is Purple, and their wood is Maple.

Ah-ni-sa-ho-ni or Blue Holly Clan - Those belonging to this clan were keepers of all children's medicines and caretakers of medicinal herb gardens. They became known for a medicine from a bluish colored plant called a blue holly, and were so named after it. This Clan has also been known as the Panther or Wild Cat Clan, in some regions. Their color is Blue and their wood is Ash.

Ah-ni-wo-di or Paint Clan - Those belonging to this Clan made red paint. The tribe's medicine men, Dida:hmvwi:sgi (healers) and Adawehi (wise men), traditionally came from this clan at one time in Cherokee history. The Clan Color for the AniWodi is White and their wood is Locust.

Ani'-Wah' Ya or Wolf Clan - The Wolf Clan is the largest clan today and the most prominent clan, providing most of the war chiefs, and warriors. True Ani'-Wah' Ya are protectors of the people. The wolf clan are keepers and trackers of the wolf and the only clan who could kill a wolf through special ceremonies and wolf medicines. The Clan color of the AniWaya is Red and their wood is Hickory.

"I would sooner be
honestly damned
than hypocritically
immortalized"

Davy Crockett

His political career
destroyed because
he supported the
Cherokee, he left
Washington D. C. and
headed west to Texas.

**Send local lore to "Van" VanLandingham, at vanprestie@aol.com
for submittal.**

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Exhibit 5



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7/6/2009 5:16:16 PM CDT

P. O. Box 948 Tahlequah, OK 74465

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Cherokee Nation Higher Education Scholarship Programs


highereducation@cherokee.org

Cherokee Nation
Higher Education
Scholarship Programs
PDF

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CHEROKEE NATION HIGHER EDUCATION SCHOLARSHIP PROGRAMS

BASIC ELIGIBILITY CRITERIA

Applicant must possess a Tribal Citizenship card showing citizenship in the Cherokee Nation.

Applicant must be attending or plan to attend a regionally accredited post-secondary institution. Accreditation will be verified from the 2006 Higher Education Directory; vo-tech schools are not supported by the higher education funds.

Applicant must apply for financial aid (Pell/FAFSA) at the selected institution, immediately after January 1.

SCHOLARSHIP PROGRAMS

A. Cherokee Nation PELL Scholarship

All Cherokee Nation tribal citizens, regardless of permanent residence, who qualify for Pell grant funding, are eligible for Bureau of Indian Affairs scholarship funding. This funding is divided equally to all Pell eligible students who complete the application process.

B. Cherokee Nation Scholarship

Open to tribal citizens who are permanent residents of the 14-county Cherokee Nation Service Area and contiguous, not qualify for Pell grant funding. *Funding is not available to students living outside these areas.*

- **First Preference**

Continuing students, students funded for current academic year by this program

- **Second Preference**

Classification of new applicants (Senior, Junior, Sophomore, Freshman)

- **Third Preference**

New applicant, academic performance and financial need of the applicant

- *Academic performance:* high school GPA multiplied by the ACT/SAT or College Placement Test score
- *Financial need:* determined by the expected family contribution (EFC) from the Free Application for Federal Student Aid (FAFSA) Student Aid Report (SAR)

C. Haskell Indian Nations University Scholarship (varies with program and student fees)

Open to all Cherokee Nation tribal members, who are not eligible for Pell grant funding may apply to attend Haskell Indian Nations University in Lawrence, Kansas, at any time during the year. Cherokee Nation will fund the normal fees associated with enrollment at Haskell. This is the equivalent of a full scholarship including room and board to any Cherokee who wishes to attend Haskell.

D. Graduate School Scholarship

Open to tribal citizens who are permanent residents of the 14-county Cherokee Nation Service Area or contiguous. *Funding is not available to students living outside these areas.*

- **First Preference**

Continuing students. Students funded by the Cherokee Nation Graduate Scholarship program for current academic year.

- **Second Preference**

Residence. Students whose permanent residency is within the Cherokee Nation area,

which is defined as those counties within and contiguous to the Cherokee Nation boundaries.

- **Third Preference**

Academic performance. Academic performance will be determined by the cumulative undergraduate grade point average at time of undergraduate graduation.

HOW TO GET A CHEROKEE NATION SCHOLARSHIP APPLICATION

Call: (800) 256-0671 ext. 5465 after January 15

Website: www.cherokee.org after February 1

Or visit <http://scholarships.cherokee.org>

WHEN IS THE DEADLINE FOR THE CHEROKEE NATION SCHOLARSHIP

Date to be determined. *Complete applications* must be postmarked or hand delivered on or before this date.

A complete application is defined as the scholarship application and all required supporting documents received at the same time on or prior to the established deadline. Regardless if it was received prior to the deadline if not complete or received after the deadline, application will not be considered for funding.

Application and supporting documents not turned into Higher Education's office or staff will not be accepted.

APPLICANT CALENDAR

JANUARY Apply for federal student aid using the most recent Free Application for Federal Student Aid **FAFSA**

1. Applications are in the high school counselor's office, or college financial aid office or you may apply online at www.fafsa.ed.gov.

Check for the following:

1. Cherokee Nation Tribal Citizenship card (blue)
2. Social security card

Request the following:

1. Official High School Transcript be mailed to you (the student)
2. Most recent official transcripts with undergraduate coursework be mailed to you (the student)

JANUARY thru JUNE Request the Cherokee Nation Scholarship application. Applications for renewal students will be mailed to students funded during the current academic year by mid-February.

MARCH Follow-up on your application for federal student aid. You should have received a student aid report (SAR) in the mail if you submitted your application via the mail. If filed electronically you need to visit the FAFSA website to print the SAR.

APRIL thru Established Deadline Send in all required documents and application for review by the Higher Education staff. Once application is received, expect written notification of a complete or incomplete application within ten (10) working days.

TBD Complete application and all required documents must be postmarked or hand delivered to the Higher Education office.

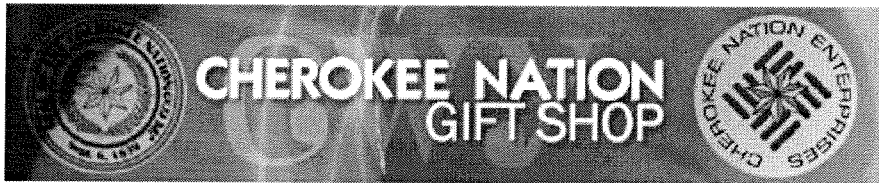
BY AUG 1st All award and denial notification mailed to students

HOW CAN I REACH THE HIGHER EDUCATION OFFICE

Phone: (918) 453-5000 ext 5465 or (800) 256-0671 ext. 5465



Exhibit 6



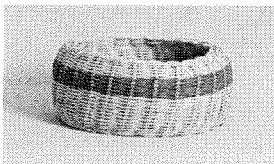
Categories

Baskets (1)
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Shopping

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What's New?



Basket
 \$49.98

Quick Find

Use keywords to find the
 product you are looking
 for.

Advanced Search

Information

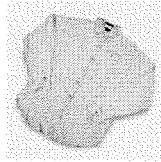
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Links

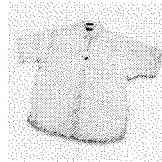
Cherokee Nation
 Cherokee Casino and
 Resort

O si yo

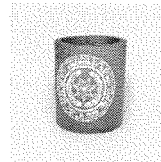
New Products For July



\$33.98



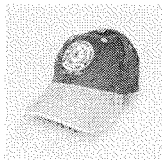
CN Denim Shirt
 Shortsleeve
 \$33.98



Red coozy
 \$2.98



Maroon mug
 \$3.98



Teal denim cap
 \$14.98



Wind Breaker
 \$55.98



license plate
 \$6.98

Small cherokee
 friendship pottery
 Small cherokee
 friendship pottery
 \$19.98



The Cherokee Trail
 of Tear Book/
 Fitzgerald
 \$27.98

Visit our Store!



Located in Tahlequah,
 Oklahoma, the Cherokee
 Nation Gift Shop boasts an
 inventory of over a 1000
 items and caring customer
 service that can't be beat.



Cherokee Gift Shop
 Route 2, 3.5 Miles South of
 Hi-way 62
 Tahlequah, OK 74464

Cherokee Language

It has been said "When a
 people lose their language
 they lose their identity".
 This aspect of the Cherokee
 culture has been celebrated
 within this site by listing the
 products with the
 associated Cherokee
 words.

Cherokee is unique in that
 one of their own harnessed
 the tones and identified
 them by symbols. This was
 the work Sequoyah did.

Please enjoy the
 presentation of products
 and their associated
 Cherokee words.

Wa-do



Exhibit 7



Categories

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The Cherokee Trail of
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 \$27.98

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Cherokee Nation
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Shipping & Returns

Sales Tax (Tribal Tax)

CherokeeGiftShop.com charges 6% Tribal Tax on all orders. The Cherokee Nation is the federally recognized government of the Cherokee people and thereby has sovereign status granted by treaty and law. Tribal tax is assessed on all orders in lieu of federal, state, or local tax regardless of geographic location of the consumer.

Shipping Rate

CherokeeGiftShop.com charges shipping and handling on all orders.

Shipping & Handling Information

Continental United States, Alaska, Hawaii, and Puerto Rico*

Total Price of Merchandise	Shipping Cost
\$0.00 - \$15.00	\$5.50
\$15.01 - \$30.00	\$8.50
\$30.01 - \$50.00	\$9.00
\$50.01 - \$75.00	\$10.00
\$75.01 - \$100.00	\$11.00
\$100.01 - \$125.00	\$13.00
\$125.01 - \$200.00	\$14.00
Over \$200.00	\$15.00

Please note that there may be additional shipping on heavy items. Shipping and handling charges subject to change without notice. For overnight or 2nd day deliveries please call customer support at (800)256-2123 or (918)456-2793.

Refund Policies

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Located in Tahlequah, Oklahoma, the Cherokee Nation Gift Shop boasts an inventory of over a 1000 items and caring customer service that can't be beat.



Cherokee Gift Shop
 Route 2, 3.5 Miles South of
 Hi-way 62
 Tahlequah, OK 74464

Cherokee Language

It has been said "When a people lose their language they lose their identity". This aspect of the Cherokee culture has been celebrated within this site by listing the products with the associated Cherokee words.

Cherokee is unique in that one of their own harnessed the tones and identified them by symbols. This was the work Sequoyah did.

Please enjoy the presentation of products and their associated Cherokee words.

Wa-do

Within 30 days of receipt of your order, you may return any items for a full refund excluding shipping and handling.

The below items must be in the following condition:

Books in there original condition.

Music CD, DVD, Cassette Tape, VHS

cassette: "Unopened"

Return Procedure

Write an e-mail to

customerservice@cherokeegiftshop.com

include in 25 words or less why you wish to return the item. Or call our Customer Service at (800)256-2123 or (918)456-2793.

Include the name of the item or title. Also include the type, (Tape, CD, Book). We will need your full name, your mailing address and a daytime phone number also included in the e-mail. We will issue you a return tracking number to ensure you are properly credited. This return tracking number will need to be returned on each package that is being returned. Mail the product to the following address:

Customer Returns

c/o Cherokee Gift Shop

Route 2 3 1/2 Miles South of Hi-way 62

Tahlequah, OK 74464

Include the packing slip with your return, and wrap the package securely. For your protection, we recommend that you use UPS or Insured Parcel Post for shipment. If you do not have your packing slip, please indicate the order number on a separate piece of paper.

CherokeeGiftShop.com upon receiving your return will reverse or credit your credit card account.

You may call our customer support for more questions on returns at (800)256-2123 or (918)456-2793.

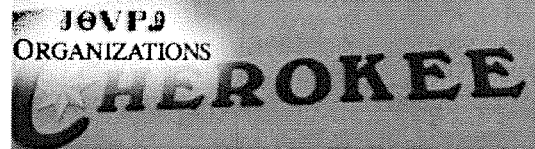
Please note that we can process returns and
refunds only for items purchased from
CherokeeGiftShop.com.



Exhibit 8

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GWYD D3P
CHEROKEE NATION
OFFICIAL SITE - WWW.CHEROKEE.ORG

[Cherokee Businesses](#) | [Cherokee Associations](#) | [Cherokee Communities](#)

Cherokee Communities

Monday, July 06, 2009

P. O. Box 948 Tahlequah, OK 74465

(918) 453-5000 / [Contact Us](#)

WELCOME

Here you will find the information that will allow you to experience the people, places, and culture that define the Cherokee Nation.

The Cherokee Nation Jurisdiction is a 7,000 square mile area located in Northeastern Oklahoma. This land area is home to more than 110,000 Cherokee people. Throughout the vast landscape you will find majestic rolling hills blanketed by deciduous foliage, winding creeks and crystal clear rivers; in addition to the most expansive and picturesque lakes in Oklahoma. Within this land thrives abundant wildlife, which makes the Cherokee Nation perfect for any hunting or fishing trip. Cherokee Nation culture transcends through generations, thanks to our elders who pass the traditions of our people on. Our culture is celebrated through the artistry of our people, ranging from intricate beadwork to our world-renowned basketry. Experience it all! Experience the Cherokee Nation!



Menu

- [Home](#)
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- [Traditions](#)
- [Experiences](#)
- [Visiting](#)
- [Cherokee Hills Byway](#)

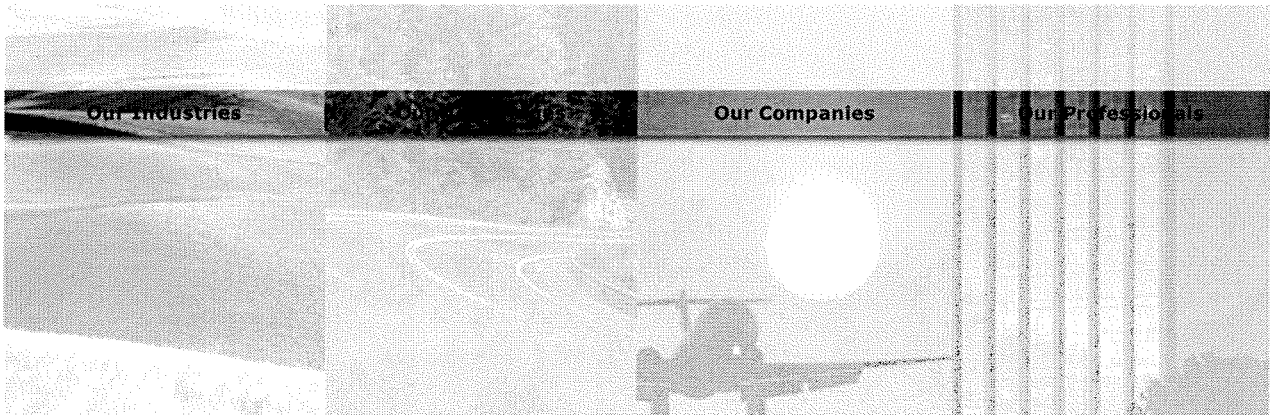
[Home](#) | [Site Map](#) | [Disclaimer](#) | [Contact Us](#)
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Exhibit 9

[Home](#) [About CNB](#) [Contact CNB](#) [Careers](#)

Welcome

Cherokee Nation Businesses, L.L.C., is the economic engine of the Cherokee Nation, the nation's second largest Indian tribe. CNB owns companies in the gaming, hospitality, personnel services, distribution, manufacturing, telecommunications and environmental services industries. These businesses have revenues of nearly \$500 million every year and earn nearly \$100 million in profits.

Cherokee Nation Businesses strives to support the mission of the Cherokee Nation, which is to create more jobs for Cherokee citizens, to build industries in Cherokee communities so Cherokees don't have to leave for better jobs, and to preserve the language and culture of the Cherokee people. CNB and its subsidiaries employ more than 4,000 people, making the company the fourteenth largest employer in Oklahoma. ([learn more](#))

Latest News

04.21.09***Cherokee Nation Enterprises Goes Green***

TULSA, Okla. - Cherokee Nation Enterprises, which operates Cherokee Casinos, has saved 437 trees, 106 cubic yards of landfill space, 53 barrels of oil from being used and reduced CO2 by nine tons in the last four months. The earth-saving statistics are a result of the company launching a "green team" to assist in becoming more eco-friendly. ([more](#))

02.24.09***Cherokee Nation Industries acquires aerospace company, Red Wing Products, Inc.***

STILWELL, Okla.— Stilwell, Okla. based Cherokee Nation Industries, a wholly-owned company of the Cherokee Nation, closed Monday on the acquisition of Red Wing Products, Inc., based in Kellyville, Okla. ([more](#))

[\(more news\)](#)

Exhibit 10

www.cherokeecasino.com[home](#)[career opportunities](#)[Tax Information](#)[Casinos](#) | [Hotels](#) | [Dining](#) | [Promotions](#) | [Entertainment](#) | [Golf](#) | [Meetings](#) | [Motor Coach](#) | [Players Club](#) | [Contact](#)

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[Roland](#)



Cherokee Casino Resort
welcomes those 21 years of age
or older to reserve a room online.
A valid ID and Credit Card must be
presented upon check-in.

[Make Reservation](#)

Toll-Free (800) 760-6700
Local (918) 384-7800



Exhibit 11

Hello, Brandon Rule. We have recommendations for you. (Not Brandon?)

Kindle: Amazon's Wireless Reading Device

Brandon's Amazon.com | Today's Deals | Gifts & Wish Lists | Gift Cards

Your Account | Help

Shop All Departments

Search Books

cherokee

Cart

Your Lists

Books

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Books > "cherokee"

Related Searches: cherokee history, cherokee indians, cherokee language.

Showing 1 - 12 of 44,213 Results

Sort by Relevance

1.  **Medicine of the Cherokee: The Way of Right Relationship (Folk wisdom series)** by J. T. Garrett and Michael Tlanusta Garrett (**Paperback** - Sep 1, 1996)
Buy new: ~~\$14.00~~ **\$11.20** 37 Used & new from \$4.24
Get it by **Thursday, Jul 9** if you order in the next **10 hours** and choose one-day shipping.
★★★★★ (15) *Prime*
2.  **If You Lived With The Cherokees (If You.)** by Peter Roop and Connie Roop (**Paperback** - Oct 1, 1998)
Buy new: ~~\$5.99~~ 64 Used & new from \$0.01
Get it by **Thursday, Jul 9** if you order in the next **10 hours** and choose one-day shipping.
★★★★★ (4) *Prime*
Other Editions: School & Library Binding, Turtleback
Excerpt - page 4: "... This book tells about how the Cherokee people lived long ago, from the year 1740 (thirty-six years ..."
Surprise me! See a random page in this book.
3.  **Beginning Cherokee** by Ruth Bradley Holmes and Betty Sharp Smith (**Paperback** - Sep 1992)
Buy new: ~~\$32.95~~ **\$21.75** 42 Used & new from \$13.31
In Stock
★★★★★ (12) *Prime*
Other Editions: Hardcover, Paperback, Unknown Binding
4.  **The Cherokee Nation: A History** by Robert J. Conley (**Paperback** - Feb 16, 2008)
Buy new: ~~\$19.95~~ **\$13.57** 24 Used & new from \$12.49
Get it by **Thursday, Jul 9** if you order in the next **9 hours** and choose one-day shipping.
★★★★★ (5) *Prime*
Other Editions: Hardcover
5.  **The Cherokee Full Circle: A Practical Guide to Sacred Ceremonies and Traditions** by J. T. Garrett and Michael Tlanusta Garrett (**Paperback** - Aug 1, 2002)
Buy new: ~~\$14.00~~ **\$11.20** 44 Used & new from \$6.00
Get it by **Thursday, Jul 9** if you order in the next **10 hours** and choose one-day shipping.
★★★★★ (7) *Prime*
Excerpt - page 1: "... peace and harmony in the mountains where our people (the Cherokee) lived, struggled for survival, ..."
Surprise me! See a random page in this book.
6.  **Cherokee** by Robert J Conley, David Fitzgerald, David G Fitzgerald, and Chadwick Smith (**Hardcover** - Sep 1, 2002) - **Illustrated**
14 Used & new from \$10.41
★★★★★ (2)
Excerpt - page 2: "... -4 -4 THE ILLINOIS RIVER NEAR THE COMBS BRIDGE IN CHEROKEE COUNTY, IN LATE OCTOBER, A13OUT TEN MILES NORTH OF TAHLEQUAH, ..."
Surprise me! See a random page in this book.
7.  **Trail of Tears: The Rise and Fall of the Cherokee Nation** by John Ehle (**Paperback** - Sep 22, 1997)
Buy new: ~~\$15.95~~ **\$10.85** 152 Used & new from \$1.90
Get it by **Thursday, Jul 9** if you order in the next **9 hours** and choose one-day shipping.
★★★★★ (37) *Prime*
Other Editions: Hardcover, School & Library Binding
Excerpt - page 1: "... James Adair, an Irish trader who lived among the Cherokees for forty years, decided the Indians were indeed one of ..."
Surprise me! See a random page in this book.
8.  **Walking on the Wind: Cherokee Teachings for Harmony and Balance** by Michael Tlanusta Garrett (**Paperback** - May 1, 1998)
Buy new: ~~\$14.00~~ **\$11.20** 55 Used & new from \$4.99
Get it by **Thursday, Jul 9** if you order in the next **10 hours** and choose one-day shipping.
★★★★★ (16) *Prime*

New Releases

Any New Release

- Last 30 days (48)
- Last 90 days (623)
- Coming Soon (8)

Department

< Any Department

Books

- Nonfiction (13,921)
- History (11,477)
- Science (4,270)
- Religion & Spirituality (3,199)
- Health, Mind & Body (2,545)
- Medicine (911)
- Children's Books (2,458)
- Reference (4,974)
- Arts & Photography (1,663)
- Literature & Fiction (9,991)
- Professional & Technical (5,691)
- Outdoors & Nature (1,728)
- Home & Garden (1,379)
- Teens (847)
- Travel (2,282)
- Biographies & Memoirs (4,718)
- Sports (1,200)
- Romance (1,038)
- Entertainment (2,967)
- Cooking, Food & Wine (378)
- Business & Investing (2,284)
- Parenting & Families (797)
- Law (1,188)
- Science Fiction & Fantasy (624)
- Mystery & Thrillers (2,649)
- Gay & Lesbian (477)
- Comics & Graphic Novels (68)
- Computers & Internet (393)

Format

Any Format

- Printed Books (42,172)
- HTML (82)
- Audiobooks (32)
- Kindle Books (31)
- Calendars (18)

Binding

Any Binding

- Paperback (31,158)
- Hardcover (10,401)
- Large Print (210)
- School & Library Binding (15)
- Board Book (1)

Shipping Option

Any Shipping Option

✓Prime Eligible

Award Winners

Any Award

- Man Booker Prize (5)
- National Book Award (10)
- Newbery Medal (3)
- The Pulitzer Prize (19)
- Amazon's Best of 2008 (10)
- Hugo & Nebula Awards (3)

Promotion

Any Feature or Promotion

- 4-for-3 Books (1,939)
- Bargain Books (976)

Avg. Customer Review

Any Avg. Customer Review

- ★★★★★ & Up (18,667)
- ★★★★☆ & Up (21,847)
- ★★★☆☆ & Up (22,445)
- ★★☆☆☆ & Up (22,723)

Where's My Stuff?

- Track your recent orders.
- View or change your orders in Your Account.

Shipping & Returns

- See our shipping rates & policies.
- See FREE shipping information.
- Return an item (here's our Returns Policy).

Need Help?

- Forgot your pass
- Buy gift cards.
- Visit our Help de

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Marie Antoinette ~ Original Soundtrack



Eyes Wide Shut: Music From The Motion Picture ~ Various Artists...



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Microplane Professional Patented Design Fine Spice G... Microplane

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cherokee (All Products), marie antoinette soundtrack (Music), marie antoinette soundtrack (All Products), microplane (All P wine, irobot roomba 4210 (All Products), robert stanek (All Products), ipod nano 16gb (All Products), tamago pan (All Products) everything (All Products)

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Google

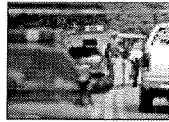
cherokee

Search

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[Preferences](#)

Web [Show options...](#) Results **1 - 10** of about **29,500,000** for **cherokee** [definition]. (0.21 seconds)

News results for **cherokee**



[Los Angeles Times](#)

Even though threat is gone, emotional scars linger in **Cherokee** County - 5 hours ago
By Janet S. Spencer GAFFNEY — No one can predict how long the emotional scar in **Cherokee** County, carved by a serial killer who claimed five victims in as ...
[Spartanburg Herald Journal - 2287 related articles »](#)
[Serial killer fears as girl, 15, becomes fifth victim of **Cherokee** ... - Daily Mail - 1166 related articles »](#)
[Cherokee food, music and crafts featured at Stecoah - Cherokee Sentinel - 4 related articles »](#)

Cherokee Nation

Cherokee Nation - The Official Web Site. **Cherokee** Nation is one of only three federally recognized Native American, **Cherokee**, Tribes based in Tahlequah ...
[Employment](#) - [Services](#) - [Sign Up](#) - [Contact Us](#)
[www.cherokee.org/](#) - [Cached](#) - [Similar](#)

Cherokee - Wikipedia, the free encyclopedia

This article contains **Cherokee** syllabic characters. Without proper rendering support, you may see question marks, boxes, or other symbols instead of ...
[en.wikipedia.org/wiki/Cherokee](#) - [Cached](#) - [Similar](#)

Cherokee Casino Resort > Casinos

Three locations near Tulsa, Oklahoma to play bingo and casino games.
[www.cherokeecasino.com/](#) - [Cached](#) - [Similar](#)

Video results for **cherokee**



cherokee aka d'ass
4 min 5 sec
[video.google.com](#)



Cherokee D' Ass Explicit
[Interview -Wow!!!!](#)
2 min 40 sec
[www.youtube.com](#)

Eastern Band of **Cherokee** Indians in North Carolina

Gives information, news, and events from this federally recognized North Carolina tribe.
[www.cherokee-nc.com/](#) - [Cached](#) - [Similar](#)

Cherokee Uniforms - Medical scrubs, nursing uniforms and footwear

Leader in design of nursing scrubs, medical uniforms, and nursing footwear. Our brands include **Cherokee**, Team Scrubs, Scrubs HQ, Studio Scrubs, Tooniforms, ...
[www.cherokeeuniforms.com/](#) - [Cached](#) - [Similar](#)

History of the **Cherokee**

Collection of historical information and links on the tribe.
[www.cherokeehistory.com/](#) - [Cached](#) - [Similar](#)

Cherokee

Although this **Cherokee** history is larger than most, it's content and style are representative.
The normal process at this point is to circulate an almost ...
tolatsga.org/Cherokee1.html - [Cached](#) - [Similar](#)

Cherokee Observer - 1991-2009, american indian, native american ...
Cherokee Observer, Founded in 1991, we are the only independent **cherokee** newspaper.
www.cherokeeobserver.org/ - [Cached](#) - [Similar](#)

Cherokee County Board of Education
Displayed are links to schools, parent information, officials, departments and employment opportunities.
www.cherokee.k12.ga.us/ - [Cached](#) - [Similar](#)

Cherokee Phoenix
The most current and accurate source of **Cherokee** news, culture and language. Find complete coverage and breaking news about issues concerning **Cherokee** ...
www.cherokeephoenix.org/ - [Similar](#)

Timeline results for **cherokee**

- 1828 On **December 20, 1828**, Georgia, fearful that the United States would be unable to effect the removal of the **Cherokee** Nation, enacted a series of ...
en.wikipedia.org
- 1838 In **May 1838**, Gen. Winfield Scott and his troops began to round up the **Cherokees**. The troops, with their rifles and bayonets, drove families from ...
books.google.com

[More timeline results »](#)

Book results for **cherokee**

- [The Cherokee Ball Play](#) - by James Mooney - 49 pages
- [Myths of the Cherokee](#) - by James Mooney - 612 pages
- [The Texas Cherokees: A People Between Two ...](#) - by Dianna Everett - 196 pages

Searches related to: **cherokee**

cherokee names	cherokee trail of tears	cherokee power supply	cherokee dictionary
cherokee apparel	cherokee art	seminoles	buffie the body

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [Next](#)

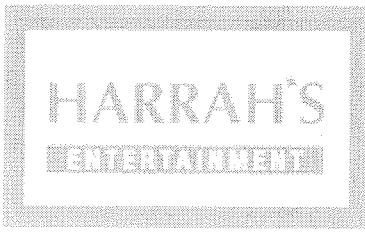
cherokee

Search

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Exhibit 13



[Print Page](#) [Close Window](#)

News Release

Eastern Band of Cherokee Indians Extends Harrah's Management Contract to 2011

LAS VEGAS, May 12 /PRNewswire-FirstCall/ -- The National Indian Gaming Commission has approved an agreement between the Eastern Band of Cherokee Indians and Harrah's N C Casino Company, LLC, a subsidiary of Harrah's Entertainment, Inc. (NYSE: HET), that extends Harrah's contract to manage Harrah's Cherokee Casino & Hotel for an additional seven years, beginning in November 2004.

(Logo: <http://www.newscom.com/cgi-bin/prnh/20021220/LAF055LOGO>)

Harrah's N C Casino Company, LLC, has managed the Tribe's casino, located in North Carolina's Great Smokey Mountains, since November 1997. This contract extension will continue Harrah's management of the facility until November 2011.

"Harrah's has brought to us their sound employee, customer and financial practices that are well-known and respected in the casino industry, and we have learned much from this successful business relationship," said Michell Hicks, Principal Chief of the Eastern Band of Cherokee Indians. "I'm sure Harrah's has learned from us as well, resulting in a successful meshing of two cultures. I'm proud that over 50 percent of the casino and hotel management positions are filled by tribal members, so the next seven years look very promising for our people."

"The Eastern Band of Cherokee Indians have achieved tremendous success with its gaming enterprise and it has been extremely gratifying for Harrah's to have been a part of a venture that has brought so much benefit to the Tribe and to western North Carolina. We are honored by the Tribe's decision to extend our management contract for the second time," said Gary Loveman, President and Chief Executive Officer of Harrah's Entertainment. "Over the last six years, we have worked closely with the Tribe to bring the finest in casino entertainment to the Southeast. We're committed to the long-term success of this enterprise."

The Tribe is currently constructing a 15-story, 324-room hotel tower, scheduled for completion in April 2005. Once complete, the \$60 million expansion project will give Harrah's Cherokee a total of 576 hotel rooms.

Last year, Harrah's signed a seven-year extension of its contract with the Rincon San Luiseno Band of Mission Indians to manage Harrah's Rincon hotel-casino near San Diego, California. Harrah's has also previously signed management-contract extensions with the Ak-Chin Indian Community in Arizona and the Prairie Band Potawatomi Nation in Kansas.

Founded 66 years ago, Harrah's Entertainment, Inc. owns or manages through various subsidiaries 26 casinos in the United States, primarily under the Harrah's brand name. Harrah's Entertainment is focused on building loyalty and value with its valued customers through a unique combination of great service, excellent products, unsurpassed distribution, operational excellence and technology leadership.

Additional information about Harrah's Entertainment is available at www.harrahs.com.

This release includes "forward-looking statements" intended to qualify for the safe harbor from liability established by the Private Securities Litigation Reform Act of 1995. You can identify these statements by the fact that they do not relate strictly to historical or current facts. These statements contains words such as "may," "will," "project," "might," "expect," "believe," "anticipate," "intend," "could," "would," "estimate," "continue" or "pursue," or the negative or other variations thereof or comparable terminology. In particular, they include statements relating to, among other things, future actions, new projects, strategies, future performance, the outcome of contingencies such as legal proceedings and future financial results. We have based these forward-looking statements on our current expectations and projections about future events.

We caution the reader that forward-looking statements involve risks and uncertainties that cannot be predicted or quantified and, consequently, actual results may differ materially from those expressed or implied by such forward-looking statements. Such risks and uncertainties include, but are not limited to, the following factors as well as other factors described from time to time in our reports filed with the Securities and Exchange Commission:

- * the effect of economic, credit and capital market conditions on the economy in general, and on gaming and hotel companies in particular;
- * construction factors, including delays, zoning issues, environmental restrictions, soil and water conditions, weather and other hazards, site access matters and building permit issues;
- * our ability to timely and cost effectively integrate into our operations the companies that we acquire;
- * access to available and feasible financing;
- * changes in laws (including increased tax rates), regulations or accounting standards, third-party relations and approvals, and decisions of courts, regulators and governmental bodies;
- * litigation outcomes and judicial actions, including gaming legislative

- action, referenda and taxation;
- * ability of our customer-tracking and yield-management programs to continue to increase customer loyalty;
- * our ability to recoup costs of capital investments through higher revenues;
- * acts of war or terrorist incidents;
- * abnormal gaming holds, and
- * the effects of competition, including locations of competitors and operating and market competition.

Any forward-looking statements are made pursuant to the Private Securities Litigation Reform Act of 1995 and, as such, speak only as of the date made. We undertake no obligation to publicly update any forward-looking statements, whether as a result of new information, future events or otherwise.

SOURCE Harrah's Entertainment, Inc.

-0- 05/12/2004

/CONTACT: investors, Brad Belhouse, +1-702-407-6367, or media, Gary Thompson, +1-702-407-6529, both of Harrah's Entertainment, Inc./

/Company News On-Call: <http://www.prnewswire.com/comp/417238.html>

/Photo: NewsCom: <http://www.newscom.com/cgi-bin/prnh/20021220/LAF055LOGO>

AP Archive: <http://photoarchive.ap.org>

PRN Photo Desk, photodesk@prnewswire.com

/Web site: <http://www.harrahs.com/>

(HET)

CO: Harrah's Entertainment, Inc.

ST: Nevada, North Carolina, Arizona, Kansas

IN: CNO ENT TRA LEI

SU: CON

ER-MS

-- LAW099 --

6014 05/12/2004 15:00 EDT <http://www.prnewswire.com>

Exhibit 14

- [Home](#)
- [About](#)

09 03 2009

New Scene "Banging the Bag Boy"

Posted by: Cherokee, in [Uncategorized](#)



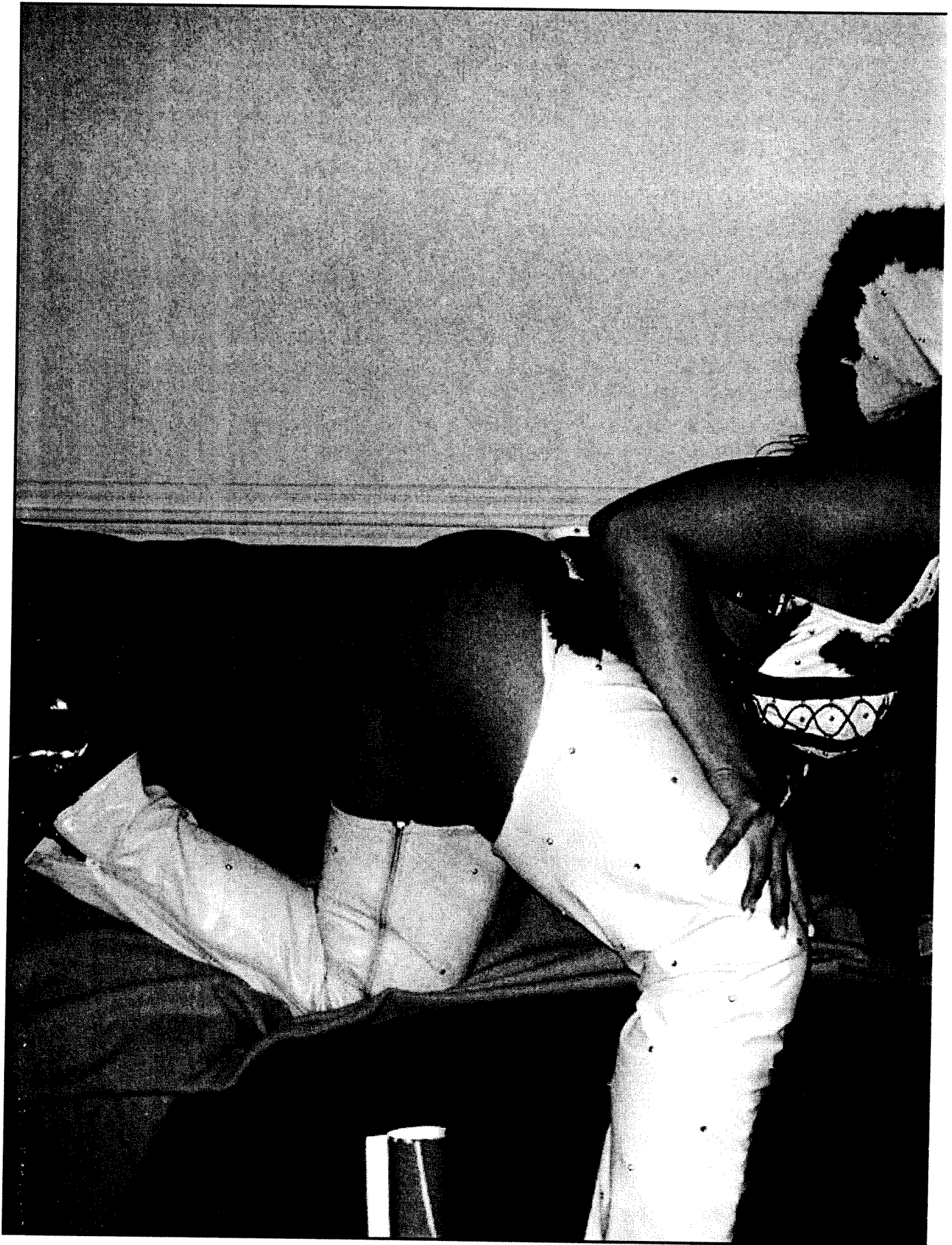
Hi guys. Well, my new scene (that I told you about in a previous post) is finally up on Brazzers. It is called "Banging the Bag Boy" and you can find it on their site milfslikeitbig.com. It was my first time working with Johnny Sinns, and I think it is probably one of my all-time favorite scenes! Check it out. And, be sure to post a comment and/or rank it. Thanks for your support. I think you guys are really going to like this one 😊

 [2 Comments »](#)

09 03 2009

Back from Thee Southern Belle in Charleston, SC

Posted by: Cherokee, in [Uncategorized](#)



guys. Here is a pic from over the weekend in Charleston. It is a really beautiful town, but I'm glad to be home. I have been traveling so much that I am exhausted.

 [2 Comments »](#)


09 02 2009

Back from a long weekend in Sacramento

Posted by: Cherokee, in [Uncategorized](#)



Hi guys.
Well, I just got back in town from doing an appearance in Sacramento at the Gold Club Centerfolds. I must not be as young as I used to be cause I am feeling it! It is hard work flipping around all over the stage. I don't know how strippers do it everyday. lolNot that having sex on a staircase, on a desk, or danggling off the edge of a cliff is any easier :) The things we do for you guys!!! lol Anyway, here is a pic from over the weekend.

 [8 Comments »](#)

24 01 2009

1/23/09 on set for Brazzers

Posted by: Cherokee, in [Uncategorized](#)



Hi guys!
Here I am on set for Brazzers again...this time for their site bigtitsatschool.com . I work with Johnny Sinns again (twice in one week). He is an amazing performer! Again, I play a sexy cougar, who knows what I want....and that is Johnny's dick. lol I even broke out my signature "indian style" position for this one :) I am very proud of these two scenes, and I think you guys are going to love them!

 [6 Comments »](#)

19 01 2009

1/19/09 on set at Brazzers

Posted by: Cherokee, in [Uncategorized](#)



guys. Well, I just got home from shooting for Brazzers today. I shot for their site milfslikeitbig.com . I worked with Johnny Sinns for the 1st time. It was a great scene. His dick is huge! He plays the bag boy at my grocery store....that I had to seduce. Not only is it funny, but I think this one will be one of your favorites :) Here is a picture from the set. Look for the scene to be out in the next few weeks.

 [6 Comments »](#)

13 01 2009

AVN this past weekend!

Posted by: Cherokee, in [Uncategorized](#)



Hi

everybody. I am absolutely exhausted from AVN. Here is a picture of me in my room getting ready to

go to the Awards show. I think this is my 8th AVN. Believe it or not, the awards show is actually really boring. So I went, then snuck out, and took a little nap. I was well rested for all of the after party festivities. But that's just our little secret 😊

📄 [7 Comments »](#)

28 12 2008

Hottest Milfs Ever

Posted by: Cherokee, in [Uncategorized](#)

Hi guys. I just found out that I have a new scene out on hottestmilfsever.com . This was shot about 6 months ago. It was my first time working with my new favorite Mikey Butders. Since then he has definately been added to my "yes" list (list female performers have regarding who they will work with)



Check it out.

📄 [9 Comments »](#)

10 12 2008

Adultcon last weekend

Posted by: Cherokee, in [Uncategorized](#)



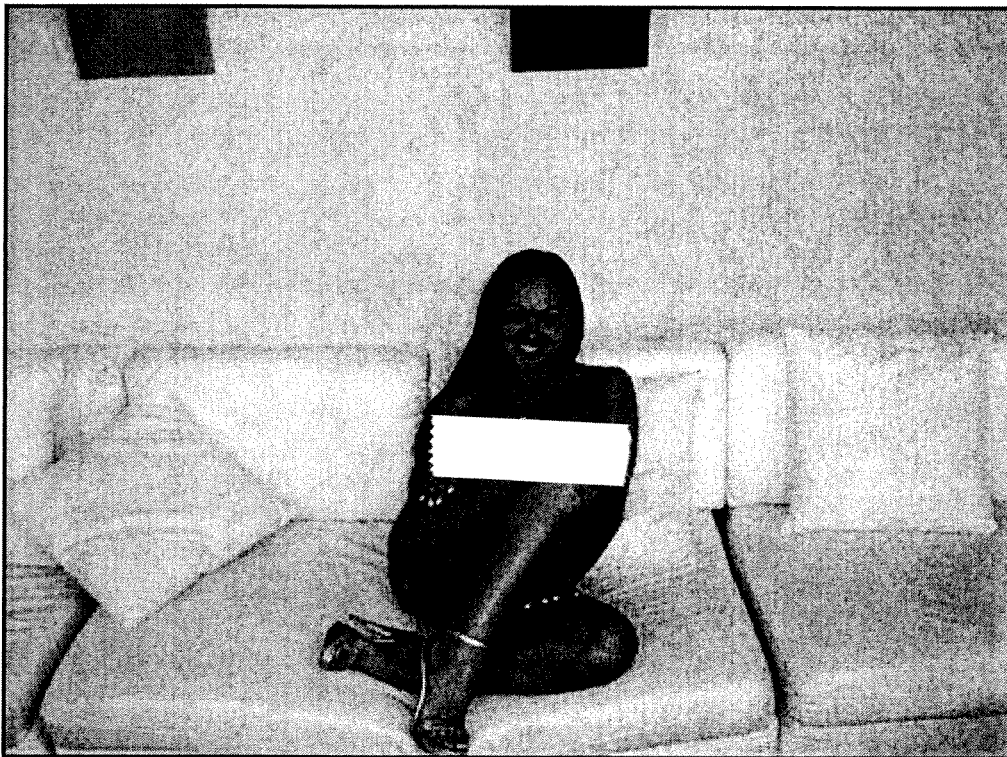
guys. Well, I just wanted to thank all of you who came out to support me at Adultcon last weekend. It is always nice to get up close and personal with you all. It was my first appearance in LA in awhile. Everybody was asking about Rhino dates. Well, I should be back on the Spearmint Rhino circuit featuring within the next few months, so keep checking my calender. I will post dates as soon as I get them. Here is a pic from the convention.

 [6 Comments »](#)

02 12 2008

The MILF Hunter Rematch

Posted by: Cherokee, in [Uncategorized](#)



Well, I know that I am showing my age, but I was one of the first girls that they shot for MILF Hunter way back when they were just getting started. It was a wildly popular scene. In fact, out of all of the work I have done in this businesses, it is

what I am most recognized for.....which kind of sucks :) Why can't people see me and yell out "18 and legal" or anything instead of "MILF hunter" when I am grocery shopping or at the mall. lol

Anyway, the guys contacted me for a reunion, and I flew to Miami. We shot in this amazing highrise that had a beautiful view of the ocean. I almost thought for a second that Sean was going soft on me and turning into a romantic. lol Anyway here are some pics from the set. Be sure to check out this much awaited rematch at milfhunter.com

 [5 Comments »](#)

02 12 2008

Check out new scene on Brazzers, "Tango Lessons"

Posted by: Cherokee, in [Uncategorized](#)





Hi guys. Well I just found out that the scene I shot last month for Brazzers has been posted. In it, I do a boy/girl scene with Charles Dera. Jenavive Jolie told me that he was really fun, so I had my expectations set high. It was my first time working with him, and it was great! Check it out. And if you like it, be sure to rate it :) Here are a few pics.

 [2 Comments »](#)

27 11 2008

Talk to me LIVE on Niteflirt!

Posted by: Cherokee, in [Uncategorized](#)

Hi guys. Well, the holidays are here again. Holidays mean family....and family often times means stress. call me if you want to relieve some tension :) I know that I plan of jacking off the whole

month of December. lol Call now. I'm waiting!



Call Now

 [1 Comment »](#)

26 11 2008

Come see me at Adultcon Dec 5th thru 7th in Los Angeles

Posted by: Cherokee, in [Uncategorized](#)



Hi guys. I thought you might enjoy these old pics of me at conventions. Maybe these will get you in the mood for Adultcon Dec 5th thru 7th at the LA Convention Center. Come meet me in person and tell me that you didn't know I was that short. lol (I'm only 4'11"). I hope to see you there.

PS- I will be bringing some of my brand new releases. I have been busy the last few months 😊

 [2 Comments »](#)

26 11 2008

“Flexibly” upcuming release

Posted by: Cherokee, in [Uncategorized](#)



Ok
guys...I always want you guys to be the first to know. I just shot a new movie called "Flexibly". I am not sure what company it was for (alot of times they don't tell us). I like to keep it real with you guys, so here goes.....it is not my favorite scene. Everyone knows that I am VERY flexible, but shooting this scene was bullshit. I threw my back out trying to suck dick while bending over an exercise ball. I hope you guys like it, but it was not a good day at the "office". Hopefully you all will appreciate they

crazy shit I did with my body trying to shoot this scene. lol Here is picture while I could still walk.

 [9 Comments »](#)


06 11 2008

Real Wife Stories

Posted by: Cherokee, in [Uncategorized](#)



guys. Be sure to check out the brand new scene just I did. It is at realwifestories.com (Brazzers). Here is a pic from the shoot. Lily and I play a lesbian couple. We pick up the two guys, use them for their dicks, then decide we like women better. It's kind of funny.

 [2 Comments »](#)

05 10 2008

My First Sex Teacher

Posted by: Cherokee, in Uncategorized

Hi. Guys! The folks at Naughty America must have been in a hurry to get this scene up. I just shot it 2 weeks ago and one of you emailed me to tell me it is already up on their site. I think this one is hilarious. I play the teacher who is blackmailing Allen Stafford into giving me what I want! Check it out and if you like it make sure you leave them a comment and let them know.

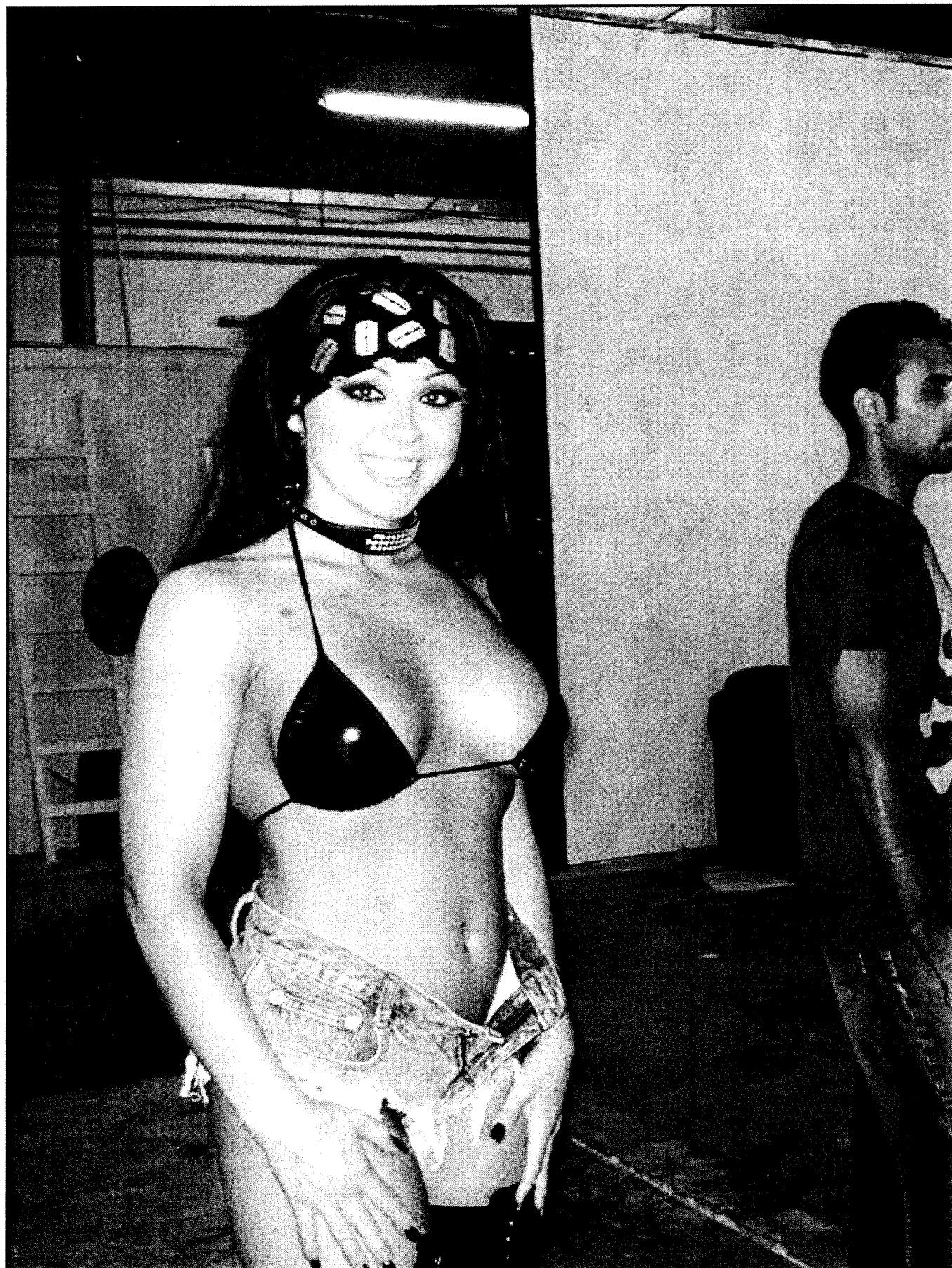


 [3 Comments »](#)

05 10 2008

upcumming movie for Teravision

Posted by: Cherokee, in Uncategorized



guys. Keep an eye out for a new movie I did for Teravision. In it i did a g/g scene with the super hot angie Savage. I think it is one of my all time best g/g scenes! The photos is from set. we are getting ready to shoot the box cover on a harley. It is 11pm and we are all exhausted! I still have Angie's pussy juice all over my face, so my makeup is kind of messed up 😊

📷 [3 Comments »](#)

23 09 2008

new store cumming soon!

Posted by: Cherokee, in [Uncategorized](#)



Hi guys. I am in the process of adding lots of new cool features to the site. Soon, I will have my very own store where you can get 8 x10s, my panties, my shoes, my movies...and all kinds of cool stuff for those of you who are collectors. Also, for the first time, I will be offering private cam sessions. You can purchase a 15 min or 30 min show. I am very excited, and I'm sure you all will be too.

📷 [5 Comments »](#)



14 09 2008

shooting for my website

Posted by: Cherokee, in [Uncategorized](#)

Hi guys. I went to LA this past weekend to do a big content shoot for my site. I shot at Diana Devoe's house. She was the photographer and shot all of my videos. That is one talented lady. She is one of the few girls in the business I look up to....and not just because I'm short. lol It was me, Diana, and my sexy little cousin, many of you have met before. (She helps me alot, but does not do porn). Although I was distracted by Diana's big juicy booty, we still managed to get alot of really hot stuff 😊 We shot some very sexy video under a waterfall which is guarranted to make your dick hard. Also we did this photo shoot in some black thigh high boots.....very yunmmy. I think you guys are gonna guys are going to be happy. Look for the new stuff to be updated on my site over the next few weeks.

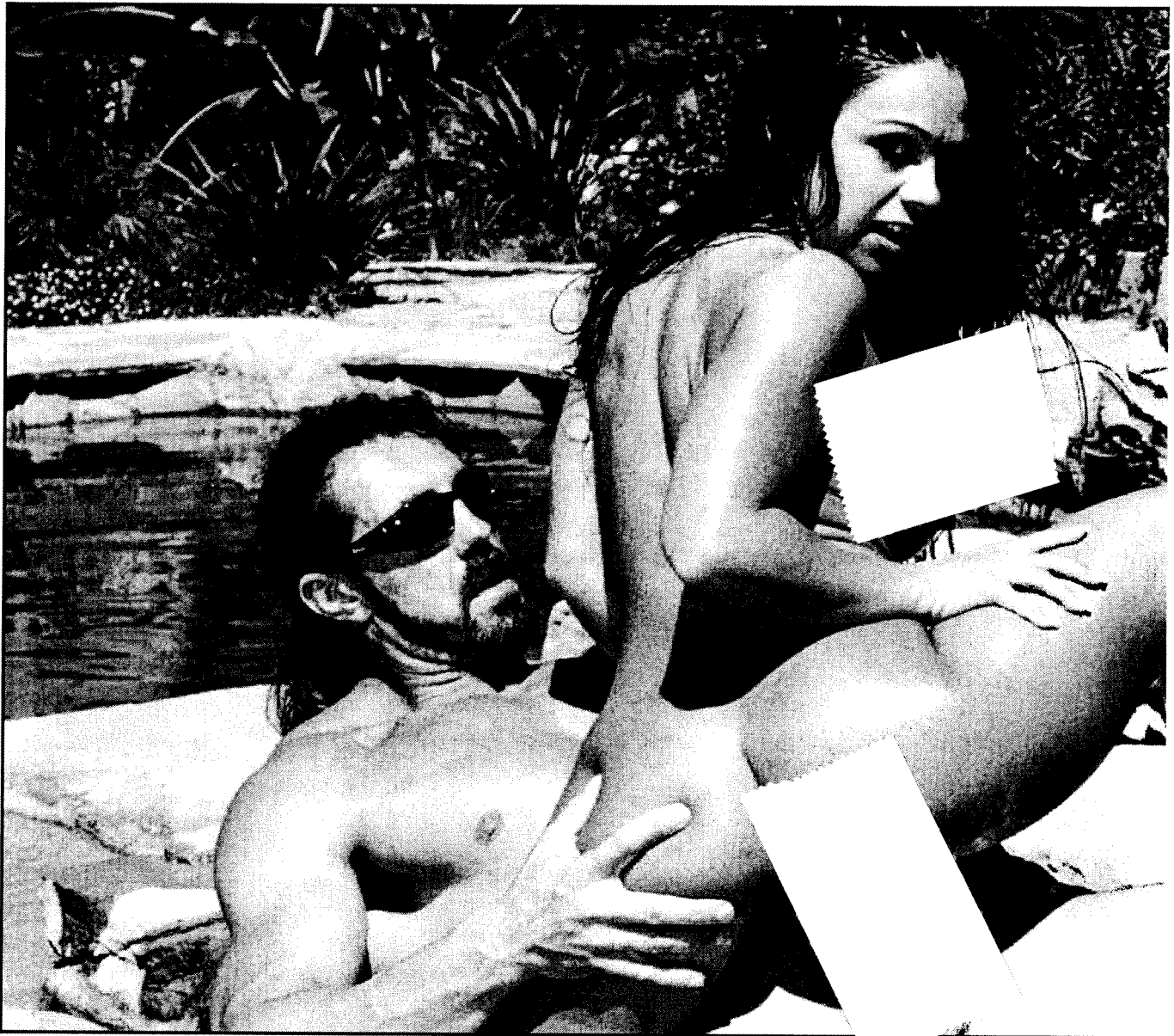
ps — Did I mention that Nat Turner just happened to stop by? 😊

📷 [2 Comments »](#)

29 08 2008


Monster Curves

Posted by: Cherokee, in [Uncategorized](#)



guys. Well, I have been hard at work shooting lots of new movies for you all. I wanted to tell you about a new one I just shot last week for [Monstercurves.com](#). It is a site by the Reality King guys. I worked with Reno, one of my all time favorites. We shot it outside in this this really bad ass pool. I wore this really sexy gold bikini. It was very hot! I think you guys will like it.

Also, I think one of my new scenes for [Brazzers](#) is finally up! Don't forget to check it out and support me by rating it 😊

 [2 Comments »](#)

20 08 2008

Exhausted!

Posted by: Cherokee, in [Uncategorized](#)

Hi guys.Â I am just finishing 3 really long days at set.Â I have been in LA, Vegas, and back to LA.Â Flying isn't what it used to be.Â Today is my off day.....well kind of anyway.Â I have to answer emails etc.Â Tomorrow I am off to Kansas bright and early.Â I have heard lots of other girls say really good things about Jezebel's, so I should have fun.Â I'm happy cause I love a good piece of red meat, which is pretty hard to find in LA or Vegas.Â I need that good midwest stuff 😊

 [1 Comment »](#)

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Exhibit 15

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20 06 2009

Check me out on webcam!

Posted by: Cherokee, in Uncategorized



Hi guys. Check me out 1-on-1 in your very own, private webcam session. I do my shows thru Skype which is excellent quality and very easy to use. You can purchase a show in the store section of my site (just follow the “store” link). Once purchased, I will email you within 2 hrs or sooner to schedule our show. I will provide you with my Skype id at that time.

Shows thru my store are at a VERY discounted rate compared to what I charge on imlive and other cam networks. A 15min show is just \$7/min and a 30 min show is \$6/min compared to the \$12 or \$13 per minute I charge on imlive. Hope to see you on cam.

I can also do paypal if you prefer that method 😊

 [No Comments »](#)

20 06 2009

New site update, “Pleated Skirt”

Posted by: Cherokee, in Uncategorized



Hi guys. Here is another video I just put up on my site. I suckered my

guy friend into coming over and shooting it for me. I tried to give me a quick lesson on how to shoot camera beforehand. He is 6' 5" and his big ass kept walking in front of the lights 😊

🗨️ 2 Comments »

12 06 2009

New scene “Stop Bullying Me and My Mom” up on Mommygotboobs.com

Posted by: Cherokee, in Uncategorized



My new scene is up on Brazzer's site, mommygotboobs.com. This scene is very funny. I adore Keiren, and he is hilarious playing my son. lol Please be sure and check it out and show me your support by ranking it. Thanks guys!

🗨️ 4 Comments »

08 06 2009

New video update “Head at Home”

Posted by: Cherokee, in Uncategorized



Hi guys. I just posted a new video to the members section of my site. It is called “Head at Home”. I talked one of my guy friends getting a bj from me and letting me film it for my site 😊

🗨️ 6 Comments »

26 05 2009

Brazzersforum.com

Posted by: Cherokee, in Uncategorized



Hi guys. Well, most of you that know me know that I do not go into forums of chat rooms. The reason for this is 1.) I am a very private person and 2.) often the tone of forums and chat rooms tends to be very mean spirited. That being said, the people at brazzers told me about their new forum and wanted me to post. I will not be posting for the reasons I already mentioned. But, it does have a section called "pornstar requests". This lets you guys ask to see more of the girls you like. Many of you email me wanting to know when I am shooting again for Brazzers. This new forum allows you to make your requests known to them. So, please go and register and tell them you want to see more of me. Thanks for your support 😊

 15 Comments »

23 05 2009

On set for mommygotboobs.com (Brazzers)

Posted by: Cherokee, in Uncategorized



©2008 CherokeeXXX.com

Hi guys. I just got back from LA shooting for Brazzer's site mommygotboobs.com. I am exhausted. But, I wanted to give you guys a pic from the set. I hope everyone has a good Memorial Day Weekend

5 Comments »

01 05 2009

4/27/09 on set for Brazzers

Posted by: Cherokee, in Uncategorized



guys. I wanted to be the first to tell you about a new scene that will be coming up on Brazzers. I worked with Keiren Lee for the 1st time. It is going to be a really hot scene. I play this crazy fan who is kind of stalking Keiren. It is really funny. Be sure to check it out when it comes out. Here a pic from set.

 15 Comments »

25 03 2009

The bull t we have to deal with!

Posted by: Cherokee, in Uncategorized


Hi guys. I am SOOO tired of all the bull hat comes with being in the public eye. Technology is great, but unfortunately it has made it a pain in the ass to be in the spotlight. From all the fake myspace pages, from the people who use my name and image to try and make money off of my hard work. **I am over it!** Thanks for all of you guys who look out for me. Today someone brought this my attention.

<http://lasvegas.craigslist.org/ers/1055490697.html>

Feel free to call and harrass , tell her you know she is a fake, set up fake appointments, anything that will make me feel better. But please, please make sure to flag it so they will take it down!

Thanks for your help in this matter. I don't have the time to be bothered with this So please help me get the word out that this isn't me. Any and all help would be appreciated.

Ps- Any ad that would list a phone number is obviously bullshit. There is no way I would ever post a phone number. I mean think of all the crazies I would get. There is no way 😊

 8 Comments »

09 03 2009


New Scene “Banging the Bag Boy”

Posted by: Cherokee, in Uncategorized



Hi guys. Well, my new scene (that I told you about in a previous post) is finally up on Brazzers. It is called “Banging the Bag Boy” and you can find it on their site milfslikeitbig.com. It

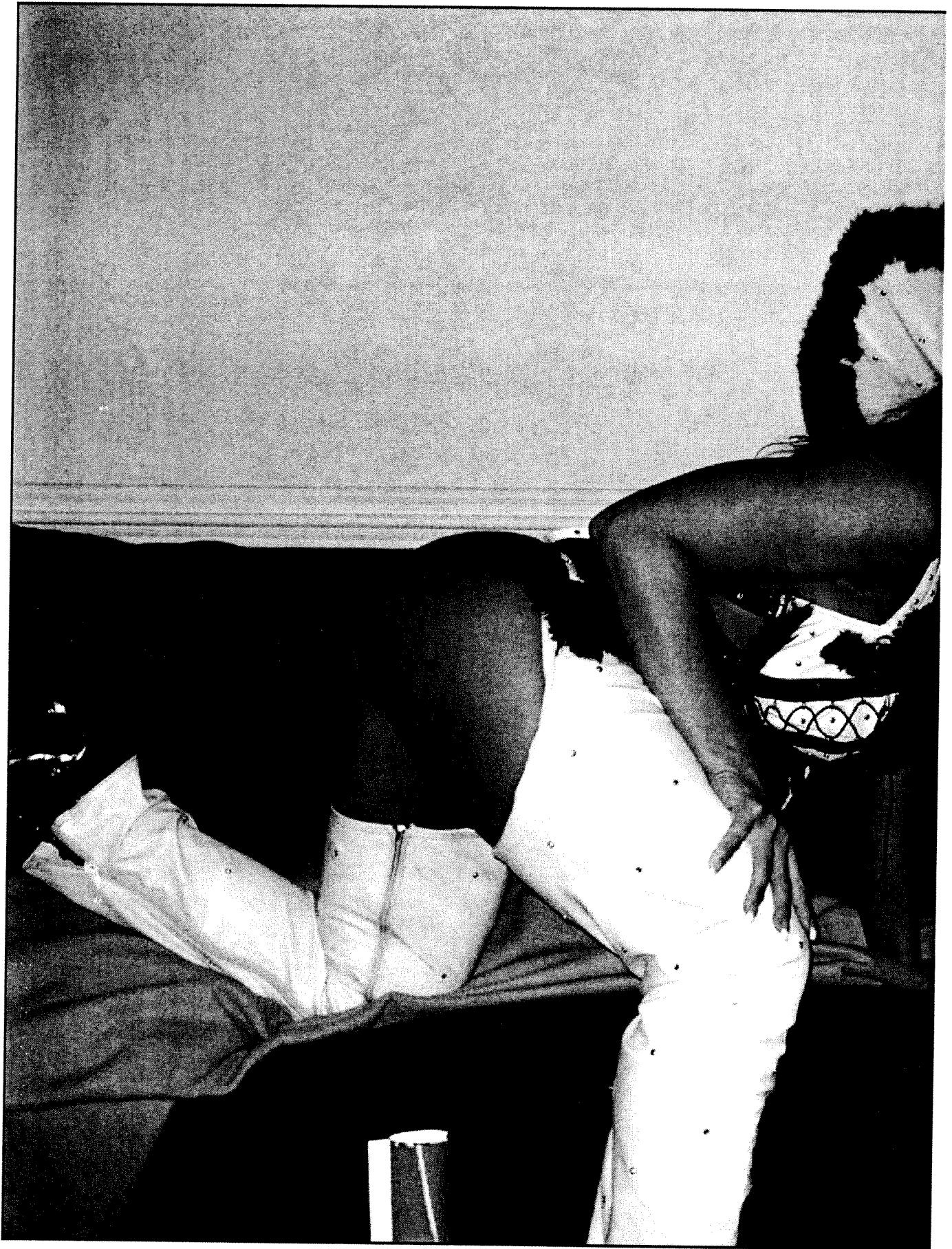
was my first time working with Johnny Sinns, and I think it is probably one of my all-time favorite scenes! Check it out. And, be sure to post a comment and/or rank it. Thanks for your support. I think you guys are really going to like this one 😊

 4 Comments »


09 03 2009

Back from Thee Southern Belle in Charleston, SC

Posted by: Cherokee, in Uncategorized



guys. Here is a pic from over the weekend in Charleston. It is a really beautiful town, but I'm glad to be home. I have been traveling so much that I am exhausted.

 4 Comments »

09 02 2009

Back from a long weekend in Sacramento

Posted by: Cherokee, in [Uncategorized](#)



Hi guys.
Well, I just got back in town from doing an appearance in Sacramento at the Gold Club Centerfolds. I must not be as young as I used to be cause I am feeling it! It is hard work flipping around all over the stage. I don't know how strippers do it everyday. lolNot that having sex on a staircase, on a desk, or danggling off the edge of a cliff is any easier :) The things we do for you guys!!! lol Anyway, here is a pic from over the weekend.

 [8 Comments »](#)


24 01 2009

1/23/09 on set for Brazzers

Posted by: Cherokee, in [Uncategorized](#)



Hi guys!
Here I am on set for Brazzers again...this time for their site bigtitsatschool.com . I work with Johnny Sinns again (twice in one week). He is an amazing performer! Again, I play a sexy cougar, who knows what I want....and that is Johnny's dick. lol I am very proud of these two scenes, and I think you guys are going to love them!

 [6 Comments »](#)


19 01 2009

1/19/09 on set at Brazzers

Posted by: Cherokee, in Uncategorized



guys. Well, I just got home from shooting for Brazzers today. I shot for their site milfslikeitbig.com . I worked with Johnny Sinns for the 1st time. It was a great scene. His dick is huge! He plays the bag boy at my grocery store....that I had to seduce. Not only is it funny, but I think this one will be one of your favorites :) Here is a picture from the set. Look for the scene to be out in the next few weeks.

 6 Comments »

13 01 2009

AVN this past weekend!

Posted by: Cherokee, in [Uncategorized](#)



Hi everybody. I am absolutely exhausted from AVN. Here is a picture of me in my room getting ready to

go to the Awards show. I think this is my 8th AVN. Believe it or not, the awards show is actually really boring. So I went, then snuck out, and took a little nap. I was well rested for all of the after party festivities. But that's just our little secret 😊

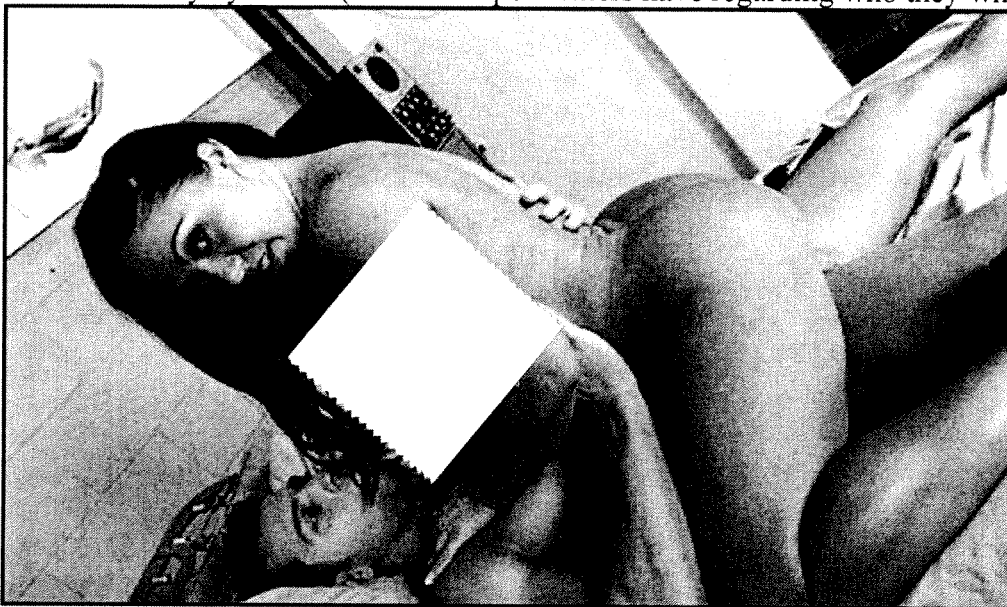
🗨 7 Comments »

28 12 2008

Hottest Milfs Ever

Posted by: Cherokee, in Uncategorized

Hi guys. I just found out that I have a new scene out on hottestmilfsever.com. This was shot about 6 months ago. It was my first time working with my new favorite Mikey Butders. Since then he has definately been added to my "yes" list (list female performers have regarding who they will work with)



Check it out.

🗨 9 Comments »

10 12 2008

Adultcon last weekend

Posted by: Cherokee, in Uncategorized



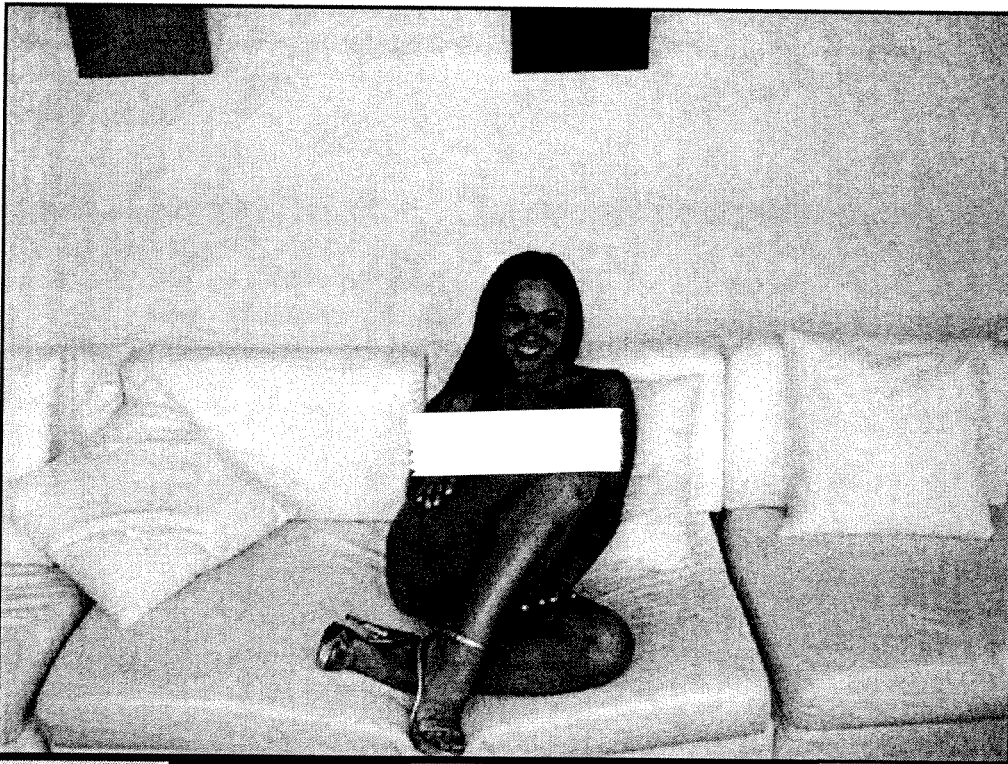
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📷 6 Comments »

02 12 2008

The MILF Hunter Rematch

Posted by: Cherokee, in Uncategorized



Well, I know that I am showing my age, but I was one of the first girls that they shot for MILF Hunter way back when they were just getting started. It was a wildly popular scene. In fact, out of all of the work I have done in this business, it is

what I am most recognized for.....which kind of sucks :) Why can't people see me and yell out "18 and legal" or anything instead of "MILF hunter" when I am grocery shopping or at the mall. lol

Anyway, the guys contacted me for a reunion, and I flew to Miami. We shot in this amazing highrise that had a beautiful view of the ocean. I almost thought for a second that Sean was going soft on me and turning into a romantic. lol Anyway here are some pics from the set. Be sure to check out this much awaited rematch at milfhunter.com

 [5 Comments »](#)

02 12 2008


Check out new scene on Brazzers, "Tango Lessons"

Posted by: Cherokee, in Uncategorized





Hi guys. Well I just found out that the scene I shot last month for Brazzers has been posted. In it, I do a boy/girl scene with Charles Dera. Jenavive Jolie told me that he was really fun, so I had my expectations set high. It was my first time working with him, and it was great! Check it out. And if you like it, be sure to rate it :) Here are a few pics.

 [2 Comments »](#)

27 11 2008

Talk to me LIVE on Niteflirt!

Posted by: Cherokee, in [Uncategorized](#)

Hi guys. Well, the holidays are here again. Holidays mean family....and family often times means stress. call me if you want to relieve some tension :) I know that I plan of jacking off the whole

month of December. lol Call now. I'm waiting!



Call Now

 [1 Comment »](#)

26 11 2008


Come see me at Adultcon Dec 5th thru 7th in Los Angeles

Posted by: Cherokee, in [Uncategorized](#)



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PS- I will be bringing some of my brand new releases. I have been busy the last few months 😊

 2 Comments »

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Exhibit 16

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**CHEROKEE NATION, a federally recognized
Indian tribe,**

Opposer,

v.

TIFFANY ADAMS,

Applicant.

Opposition No. 91185103

DECLARATION OF ANTHONY J. JORGENSEN

1. I am an attorney with the law firm of Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C., counsel for the Opposer in this proceeding, I submit this Declaration in support of Opposers' Reply in Support of Opposer's Motion for Summary Judgment.

2. I have personal knowledge of the matters asserted in this Declaration by virtue of my role as counsel for Opposer.

3. Annexed as Exhibit 1 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from TESS for U.S. Registration No. 2326707, for the mark **COWLITZ INDIAN TRIBE**. The printout was generated on July 6, 2009.

4. Annexed as Exhibit 2 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokee.org of the Treaty of Hopewell, 1785, between Opposer and the United States, available at <http://www.cherokee.org/Culture/132/Page/print.aspx>. The printout was generated on July 9, 2009.

5. Annexed as Exhibit 3 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout of the "About" page from www.cnwo.org, available at

<http://www.cnwo.org/About/tabid/2414/Default.aspx>, describing the Cherokee Nation Washington Office and its mission statement. The printout was generated on July 6, 2009.

6. Annexed as Exhibit 4 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokee.org describing the Cherokee Community of Central California and its activities, available at <http://centralca.cherokee.org>. The printout was generated on July 8, 2009.

7. Annexed as Exhibit 5 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokee.org entitled "Cherokee Nation Higher Education Scholarship Programs." The printout was generated on July 6, 2009.

8. Annexed as Exhibit 6 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokeegiftshop.com displaying products sold by the Cherokee Nation Gift Shop. The printout was generated on July 6, 2009.

9. Annexed as Exhibit 7 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokeegiftshop.com of the Cherokee Nation Gift Shop's shipping and returns policies, available at <http://www.cherokeegiftshop.com/shipping.php>. The printout was generated on July 6, 2009.

10. Annexed as Exhibit 8 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokee.org entitled "Tourism Home," available at <http://tourism.cherokee.org>. The printout was generated on July 6, 2009.

11. Annexed as Exhibit 9 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokeemissionbusinesses.com describing the business enterprises of Opposer. The printout was generated on July 6, 2009.

12. Annexed as Exhibit 10 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokeecasino.com advertising the multiple locations where Opposer operates entertainment facilities. The printout was generated on July 6, 2009.

13. Annexed as Exhibit 11 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.amazon.com showing the results from a search for books containing the word "Cherokee." The printout was generated on July 8, 2009.

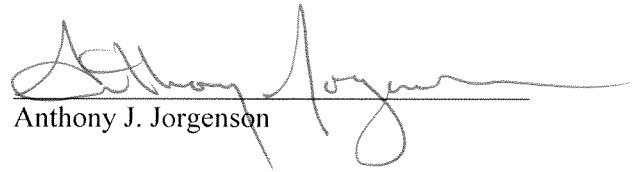
14. Annexed as Exhibit 12 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.google.com showing the results from a search for the word "Cherokee." The printout was generated on July 8, 2009.

15. Annexed as Exhibit 13 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.harrahs.com of a news release describing the renewal of an agreement between the Eastern Band of Cherokee Indians (the "Eastern Band") and Harrah's for the management of the Eastern Band's casino in North Carolina. The printout was generated on July 7, 2009.

16. Annexed as Exhibit 14 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokeexxx.com of a blog entry posted by Applicant describing her "signature Indian style position." The printout was generated on March 13, 2009.

17. Annexed as Exhibit 15 to Opposer's Reply in Support of its Motion for Summary Judgment is a true and correct copy of a printout from www.cherokeexxx.com of the same blog entry as Exhibit 14, showing the removal of language describing Applicant's "signature Indian style position." The printout was generated on June 22, 2009.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.



Anthony J. Jorgenson

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